

## ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0013  
1139 ½ Poquito Street

P.C. DATE: July 11, 2017

ADDRESS: 1139 ½ Poquito Street

DISTRICT: 3

AREA: 0.178 ac. (7,762 s.f.)

OWNER: Poquito Rex, LLC (Rex Bowers)

APPLICANT: City of Austin Planning and Zoning Department (Jerry Rusthoven)

FROM: SF-3-NP

TO: MF-4-NP

DESIRED DEVELOPMENT ZONE: Yes

NEIGHBORHOOD PLAN AREA: Central East Austin (OCEAN)

SUMMARY STAFF RECOMMENDATION:

Staff supports the rezoning request to multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

July 11, 2017: *TO GRANT MF-2-CO-NP, WITH THE FOLLOWING CONDITIONS [LIMITING THE SITE TO SF-3 SITE DEVELOPMENT STANDARDS]: MAXIMUM IMPERVIOUS COVERAGE SHALL BE 45%; MAXIMUM BUILDING COVERAGE SHALL BE 40%; AND MAXIMUM BUILDING HEIGHT SHALL BE 35 FEET. (10-1-1) [N. Zaragosa- 1<sup>st</sup>, J. Vela -2<sup>nd</sup>; A. Pineyro-DeHoyos- Abstained; P. Seegar- Opposed]*

ISSUES:

The proposed rezoning request is City-initiated. The Planning Commission directed Staff to proceed with the rezoning request from SF-3-NP to MF-4-NP on November 15, 2016. *Please refer to Exhibit A (Zoning Initiation Memo and Attachments).* Questions regarding the property's zoning were brought to City Staff by a representative of the property owner. The property owner was concerned that the property had been rezoned to SF-3-NP in 2001, yet historically and currently contains a total of four units. Staff researched the permit and zoning history of the property and concluded that the 2001 rezoning for this property occurred in error.

DEPARTMENT COMMENTS:

Existing Conditions. The subject property is located on the east side of Poquito Street, across from the intersection with Cornell Street. The property is zoned SF-3-NP and contains two duplexes. The lots immediately surrounding the subject property to the north, east, and south are also zoned SF-3-NP, as are most lots between Poquito Street and Northwestern Avenue. These lots are developed with single family and duplex residential. A few lots that are zoned MF-4-NP are also located between Poquito Street and Northwestern Avenue; these lots are developed with multiple residences. Across Poquito Street, to the west, is Rosewood Courts Apartments, zoned MF-4-NP. Across Poquito Street and south of Yale Street are properties zoned SF-3-

NP and developed with single family and duplex residences. *Please refer to Exhibits B and C (Zoning Map and Aerial Map).*

**Zoning Background.** The current zoning of the subject property was established at the time of the Central East Austin Neighborhood Plan, and approved by City Council on December 13, 2001 (C14-01-0148). The 2001 rezoning ordinance shows that the subject property and six other lots on the east side of Poquito Street were rezoned from MF-4 to SF-3-NP. Prior to 2001, the subject property, along with all properties on this block, had "B" Residence zoning (later converted to MF-4) since 1943.

City water service permits issued in 1950 and 1951 show four residential units on the property, two in the front and two in the rear. City building permits issued in 1992 also indicate a total of four units, two in the front and two in the rear. Thus, City staff acknowledges that four units have historically occupied the property since 1951, and the necessary building permits have been sought and obtained. Current TCAD records also indicate that the property contains 2 two-family dwellings for a total of four units. This configuration is a multi-family residential use, which is not permitted in the SF-3-NP zoning category assigned in 2001.

The adopted Neighborhood Plan documents include a list of the Top Ten Neighborhood Planning Priorities, and element #3 states: "Pursue zoning rollbacks to single family for properties in the Blackshear/Prospect Hill area that are currently zoned multi-family, commercial, or industrial but used as single-family or are vacant lots to preserve existing housing and encourage infill." It is likely that this priority served as the basis for the change in zoning to the SF-3-NP district.

There are three other multi-family zoned properties with four units along the east side of Poquito Street, but the construction is four units within one building-- fourplexes. These properties are identified as Multi-Family on the September 18, 2001 Existing Land Use with Zoning Overlay map, retained MF-4 base district zoning and designated as Multifamily on the Future Land Use Map. The subject property is configured differently, with one duplex close to Poquito Street and the other duplex set further back. It is possible that the Staff may have seen only the front duplex on the property when viewed from the right-of-way which resulted in the misidentification of this property as Single Family on the Existing Land Use map, rezoning to SF-3-NP, and designation as Single Family on the Future Land Use Map. As part of the neighborhood plan and zoning process in 2001, the property owner was notified of the zoning change on his property, but it is unknown if the owner was an active participant in the processes at that time. Since Staff has been unable to find any information why the subject property was treated differently than the other multifamily properties in the area, Staff has concluded that the 2001 rezoning for this property occurred in error.

As stated above, the existing multi-family residential use is not permitted in SF-3 zoning, making this an existing nonconforming use. The most restrictive zoning category that permits multifamily land use is MF-1, as well as the other multifamily (MF) zoning categories. These categories, however, have site development standards that make it difficult to identify a zoning category that fits the property exactly. The site, as currently developed, would be in noncompliance with regulations of all available zoning categories. However, it is the City's policy to reduce the degree of noncompliance where possible by finding an acceptable zoning category.

	Multifamily Use Permitted	Min. Lot size (s.f.)	Min. Lot width (feet)	Max. D.U. / acre / F.A.R.	Max. Bldg. Cover	Max. Imp. Cover	Max. Height (feet)
<b>SITE</b>		<b>7,762</b>	<b>45</b>	<b>22.4467</b>	<b>22%**</b>	<b>51%**</b>	<b>1 story</b>
SF-3	No	5,750/7,000	50	7/6.2	40%	45%	35
SF-4	No	3,600	40	12.4	55%	45%	35
SF-5	No	5,750	50	7	40%	65%	35
SF-6	No	3,500/7,000	50	12.4/6.2	40%	45%	35
MF-1	Yes	8,000	50	17	45%	55%	40
MF-2	Yes	8,000	50	23*	50%	60%	40
MF-3	Yes	8,000	50	36	55%	65%	40
MF-4	Yes	8,000	50	.75:1	60%	70%	60

\* MF-2 density based on efficiency units

\*\*A formal survey of the property is not available. Building coverage is based on Travis Central Appraisal District (TCAD) records. Impervious cover is based on City records via the Drainage Utility Charge

<http://www.austintexas.gov/GIS/DrainageCharge/>

Correspondence related to the rezoning request is also attached. *Please refer to Exhibit E (Correspondence).*

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Multifamily residences
<i>North</i>	SF-3-NP, MF-4-NP	Single family, duplex, and multifamily residences
<i>South</i>	SF-3-NP, MF-4-NP	Single family, duplex, and multifamily residences
<i>East</i>	SF-3-NP, MF-4-NP	Single family, duplex, and multifamily residences
<i>West</i>	MF-4-NP, SF-3-NP	Single family, duplex, and multifamily residences

ABUTTING STREETS:

NAME	R.O.W.	PAVEMENT	CLASSIFICATION	SIDEWALKS	BIKE ROUTE	BUS ROUTE (1/4 MI.)
Poquito Street	50'	30'	Local	Yes	N/A	#320, #2

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council	East Austin Conservancy
Organization of Central East Austin Neighborhoods	Foster Heights Neighborhood Association
Rosewood Neighborhood Contact Team	Rosewood Glen Oaks Neighborhood Association
Sierra Club, Austin Regional Group	Claim Your Destiny Foundation
Black Improvement Association	AISD
Del Valle Community Coalition	Homeless Neighborhood Association
Friends of Austin Neighborhoods	Austin Heritage Tree Foundation
SELTexas	
African American Cultural Heritage District Business Association	

CITY COUNCIL DATE/ACTION:

August 10, 2017:

ORDINANCE READINGS:

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin

E-MAIL: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

PHONE: 512-974-2122

## **STAFF RECOMMENDATION:**

Staff supports the rezoning request. The action to rezone the property from MF-4 to SF-3-NP in 2001 appears to have been made in error. Staff believes the property was misidentified as containing a single duplex or single residence in 2001, leading to the error. The preexistence of multifamily on the property is documented and permitted back to the 1950s. Additionally, other multifamily properties on the block were not changed from MF-4, even though they had the same number of residential units.

1. ***Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.***

When the area was rezoned in conjunction with the Central East Austin Plan, other multifamily properties on the block were not changed from MF-4, even though they had the same number of residential units. Restoring the MF-4 zoning to this property would grant this property the same treatment as those that retained the MF-4 designation.

2. ***Zoning should be consistent with approved and existing residential densities.***

The property has been developed with this residential density since the 1950s. Bringing it into compliance with zoning regulations does not increase residential density in the area. The configuration and size of the property, as well as Compatibility Standards preclude high density development on the lot, if rezoned.

3. ***Zoning should allow for reasonable use of the property.***

Since the current land use and improvements do not comply with SF-3 regulations, it may not be possible to obtain permits for remodel or redevelopment of the property.

## **SITE PLAN**

SP1. Site plans will be required for any new development other than single-family or duplex residential.

SP2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

SP3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP4. The site is subject to compatibility standards. Along the north, east, and south property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.
- Additional design regulations will be enforced at the time a site plan is submitted.

## **TRANSPORTATION**

TR1. No additional right-of-way is needed at this time.

TR2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

TR3. Poquito Street is not classified in the Bicycle Plan.

TR4. Capital Metro bus service is not available along Poquito Street.

TR5. There are existing sidewalks along Poquito Street.

TR6. Janae Ryan, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR7. Existing Street Characteristics:

<b><u>Name</u></b>	<b><u>ROW</u></b>	<b><u>Pavement</u></b>	<b><u>Classification</u></b>	<b><u>ADT</u></b>
Poquito Street	50'	30'	Local	N/A

## **ENVIRONMENTAL**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist

at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

#### **WATER UTILITY**

WW1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction.

The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



## MEMORANDUM

\*\*\*\*\*

TO: Mr. Stephen Oliver, Chair  
Members of the Planning Commission

FROM: Wendy Rhoades, Principal Planner, Zoning Case Management  
Planning and Zoning Department

DATE: November 9, 2016

RE: Request to Initiate a Rezoning Application for Property located at 1139-½  
Poquito Street

\*\*\*\*\*

The item under discussion is a request to consider directing Staff to initiate a rezoning case from SF-3-NP to MF-4-NP for 1139-½ Poquito Street.

The zoning of this 7,762 square foot platted lot was changed with the Central East Austin Neighborhood Plan Rezoning approved on December 13, 2001 (C14-01-0148). The 2001 rezoning ordinance shows that the subject lot and six other lots on the east side of Poquito Street were rezoned from MF-4-NP to SF-3-NP.

However, based on City water service permits issued to J.E. Mosby in June 1950 and March 1951, there are four residential units on the property, two in the front and two in the rear, which is a multi-family residential use. City building permits issued in October 1992 also indicate a total of four units, two in the front and two in the rear. Thus, City staff acknowledges that four units have historically occupied the property since 1951, and the necessary building permits have been sought and obtained. Current TCAD records also indicate that the property contains 2 two-family dwellings for a total of four units. The property along with adjacent properties on Poquito Street had "B" Residence zoning (later converted to MF-4), since 1943.

The adopted Neighborhood Plan documents include a list of the Top Ten Neighborhood Planning Priorities, and element #3 states: "Pursue zoning rollbacks to single family for properties in the Blackshear/Prospect Hill area that are currently zoned multi-family, commercial, or industrial but used as single-family or are vacant lots to preserve existing housing and encourage infill." It is likely that this priority served as the basis for the change in zoning to the SF-3-NP district.

There are three other multi-family zoned properties with four units along the east side of Poquito Street, but the construction is four units within one building. All three properties are identified as Multi-Family on the September 18, 2001 Existing Land Use with Zoning Overlay map, retained MF-4 base district zoning and designated as Multifamily on the Future Land Use Map.

This particular property is different with two duplexes on the property, one close to Poquito and the other a little further back. It is possible that the Staff may have seen only the front duplex on the property when viewed from the right-of-way which resulted in the misidentification of this property as Single Family on the Existing Land Use map, rezoning to SF-3-NP, and designation as Single Family on the Future Land Use Map. The property owner was notified of the zoning change on his property, and it is unclear whether he participated in the neighborhood plan and zoning process.

A representative of the property owners approached Staff expressing concern that the property had been rezoned to SF-3-NP, yet historically and currently contains a total of four units. Staff researched the permit and zoning history of the property and concluded that the 2001 rezoning for this property occurred in error.

On October 4, 2016, Staff met with representatives of OCEAN and the Blackshear/Prospect Hill to discuss the rezoning issue and corresponding Future Land Use Map issues.

**Attachments:**

- Aerial view of 1139-½ Poquito Street
- 1950 building permits for two frame residences
- 1951 Water Service Permits for four units
- 1992 building permits for two duplexes
- 2016 TCAD Results for 1139-½ Poquito Street
- Neighborhood Plan cover sheet and Top Ten Neighborhood Planning Priorities
- September 2001 Existing Land Use with Zoning Overlay Map
- Adopted December 2001 Neighborhood Plan Rezoning Ordinance (portion of Tract 74) and pages from the Staff report

December 13, 2016: *DIRECTED STAFF TO INITIATE REZONING TO MF-4-NP DISTRICT ZONING*

*[J. SCHISSLER; P. SEEGER – 2<sup>ND</sup>] (9-1) K. MCGRAW – NAY; J. VELA – LEFT EARLY; T. NUCKOLS; A. PINEYRO DE HOYOS – ABSENT*



**NOTE: DIRECT STAFF TO FULLY RESEARCH THE ZONING HISTORY ON POQUITO STREET AND SUGGEST AN APPROPRIATE ZONING DISTRICT FOR THIS LOT THAT RECOGNIZES ITS LEGAL HISTORY.**

**ALSO, RECOGNIZE THAT IT IS BOTH A LEGAL (NONFORMING) USE AND NON-COMPLYING USE; LOOK AT THE SIZE OF THE UNITS WHICH MAY DICTATE MORE INTENSE MULTIFAMILY ZONING DISTRICT. STAFF SUGGESTS INITIATION OF MF-4-NP ZONING BASED ON EXISTING ZONING ON COMPARABLE PROPERTIES AT THE TIME THE NEIGHBORHOOD PLAN WAS BROUGHT FORWARD, SO THAT EVERYONE IS STARTING FROM THE SAME POINT.**

**IF EXISTING STRUCTURES WERE DESTROYED, IT IS POSSIBLE THAT THE PROPERTY OWNER COULD REBUILD TO WHAT THE DIMENSIONS WERE PRIOR TO THEIR DESTRUCTION. HOWEVER, IF THE BUILDINGS WERE DESTROYED UNDER SF-3-NP ZONING, THEN THEY COULD NOT REBUILD THE USE.**





CS-CO-MU-NP

CS-CO-MU-NP

MF-4-NP

P-NP

NORTHWESTERN AVE

SF-3-NP

MF-4-NP

MF-4-NP

POPUTO ST

CORNELL ST

MF-4-NP

MF-4-NP

YALE ST

SF-3-NP

PEOPLES ST

SF-3-NP

MF-4-NP

MF-4-NP

WALTER ST

HARRY ST



J. E. Mosby 1139-1/2 Poquito

35 9

Chernosky #6

Frame residence.

43927 3-16-50

\$1950.00

Owner

J. E. Moby 1139-1/2 B Poqui S

35 9

Chernovsky #6

Frame residence.

43928 3-16-50 \$1850.

Owner

# WATER SERVICE PERMIT

Austin, Texas

C No 6323

Received of J. E. MOSEBY Date 6-1-50

Address 1139 1/2 POQUITO ST.

Amount TWENTY + 110/100 \$ 20.00

Plumber MOONEY Size of Tap 3/4"

Date of Connection 6-15-50

Size of Tap Made 3/4"

Size Service Made 3/4"

Size Main Tapped 1"

From Front Prop. Line to Curb Cock

From S, Prop. Line to Curb Cock 18'

Location of Meter Curb

Type of Box Lock

Depth of Main in St. 2'

Depth of Service Line 2'

From Curb Cock to Tap on Main 30

Checked by Engr. Dept. 7-3-50

INDEXED

No. Fittings

Size

1 Curb Cock 3/8"

1 Elbow 3/4" Copper Ell

St. Elbow

2 Bushing 3/4" x 1/2" Brass

1 Reducer 1" x 3/4" Copper

32' Pipe 3/4" Copper

Lead Comp

Nipples

Union

Plug

Tee 3/4"

1 Stop 3/4"

1 Box

1 Lid

Valves

Job No. 21-323-50

P. g. No.

Relinquish

1139 1/2

18'

POQUITO STREET

1" galv.

30'

CORNELL STREET

YALE STREET

CHANGED TO 6" MAIN AND RENEWED  
SERVICE WITH 1" COPPER ON 11-3-21-189

# WATER SERVICE PERMIT

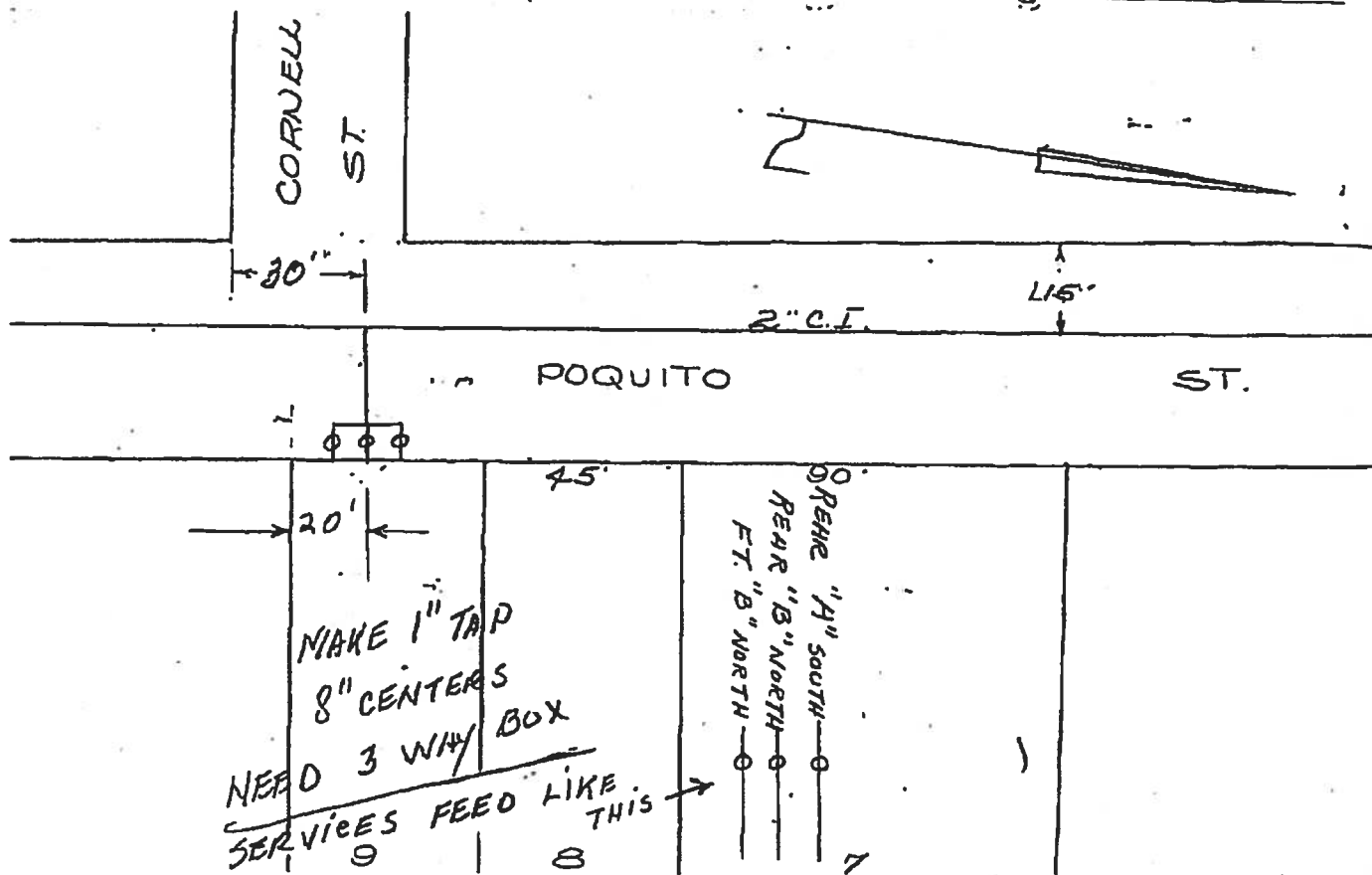
Austin, Texas

C No 8692

Received of	J. E. MOSEBY	Date	3-16-57
Address	1139 1/2 POQUITO FRONT. B. NO.		
Amount	TWENTY AND NO/100 - \$20.00		
Plumber	J. E. MAGNEY	Size of Tap	3/4"
Date of Connection	4-13-51		
Size of Tap Made	1/4"		
Size Service Made	1/4"		
Size Main Tapped	2" C.I.		
From Front Prop. Line to Curb Cock	75'		
From Prop. Line to Curb Cock			
Location of Meter	CURB		
Type of Box	LOC 4		
Depth of Main in St.	2.5'		
Depth of Service Line	2.5'		
From Curb Cock to Tap on Main			
Checked by Engr. Dept.	MAY 4 1951 97		

No. Fittings	Size
3	5/8" Curb Cock
1	1/2" Elbow
3	3/4" St. Elbow
1	1" Bushing
1	1" Reducer
1	1/4" Tee
1	1" Lead Comp.
3	3/4" Nipples
3	3/4" Union
1	3/4" Plug
3	3/4" Tee
1	1" Stop
1	Box
1	Lid
3	Valves
Job No.	2W323-592
P. & T. No.	21208

INDEXED



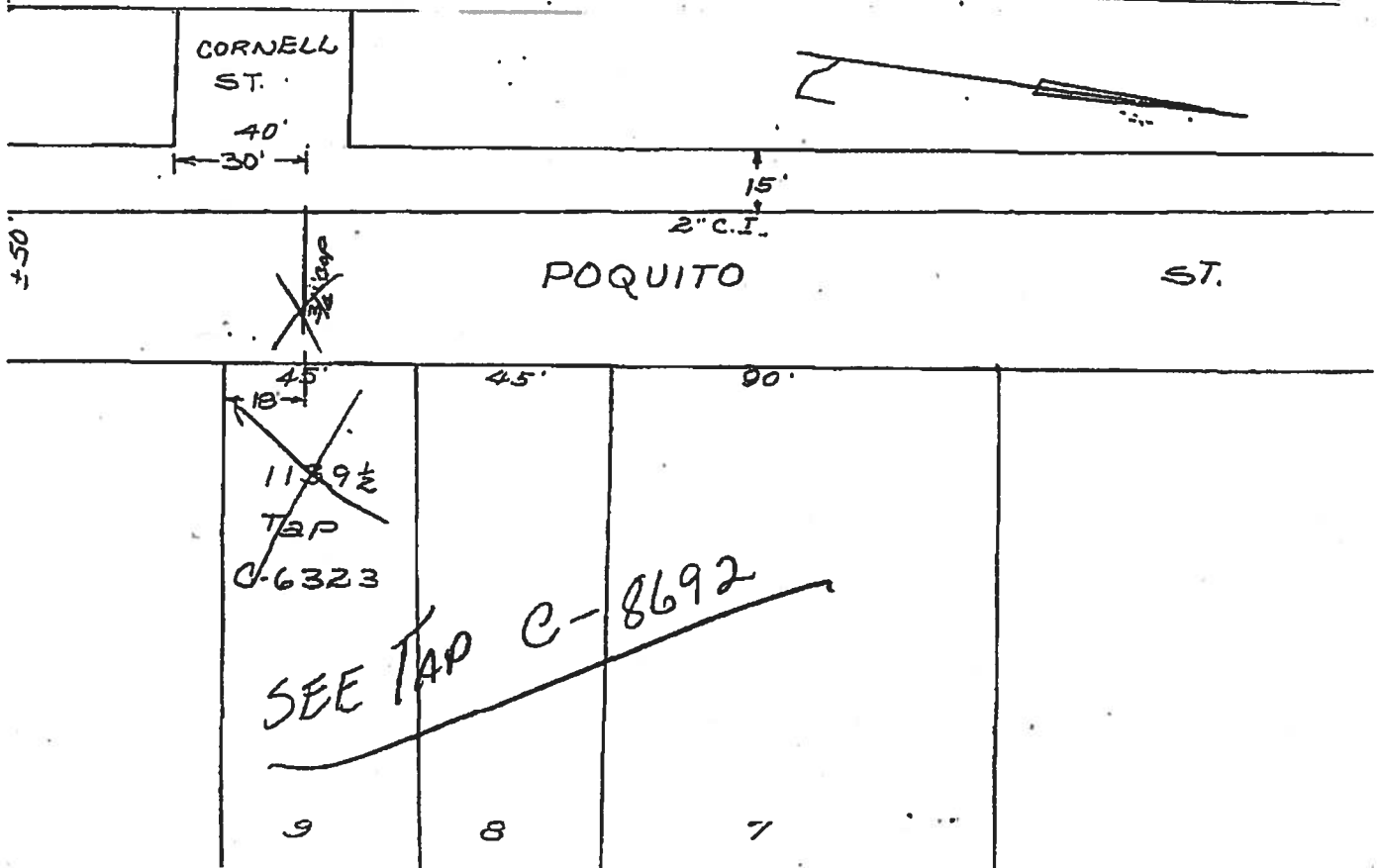
## Austin, Texas

35

Received of J. E. HOSBY Date 3-16-57  
Address 1139 1/2 P. A. U. T. G. PEAR A. SO.  
Amount TWENTY AND 00/100 \$ 20.00  
Plumber E. MOONIE Size of Tap 3/4"  
Date of Connection 4-13-51  
Size of Tap Made \_\_\_\_\_  
Size Service Made \_\_\_\_\_  
Size Main Tapped \_\_\_\_\_  
From Front Prop. Line to Curb Cock SEE TAP DC-8692  
From Prop. Line to Curb Cock \_\_\_\_\_  
Location of Meter \_\_\_\_\_  
Type of Box \_\_\_\_\_  
Depth of Main in St. \_\_\_\_\_  
Depth of Service Line \_\_\_\_\_  
From Curb Cock to Tap on Main \_\_\_\_\_  
Checked by Engr. Dept. MAH 4 1957

o. Fittings	Size
Curb Cock	
Elbow	
St. Elbow	
Bushing	
Reducer	
Pipe	
Lead Comp.	
Nipples	
Union	
Plug	
Tee	
Stop	
Box	
Lid	
Valves	
Job No.	
P. & G. No.	

**INDEXED**



# WATER SERVICE PERMIT

Austin, Texas

C. No. 8694

Received of J.E. Mosby Date 3-16-51

Address 1139 1/2 POQUITO PETR B. NO.

Amount TWENTY AND NO/100 \$ 20.00

Plumber E. MANN Size of Tap 3/4"

Date of Connection 4-13-51

Size of Tap Made

Size Service Made

Size Main Tapped SEE TAP 8692

From Front Prop. Line to Curb Cock

From Prop. Line to Curb Cock

Location of Meter

Type of Box

Depth of Main in St.

Depth of Service Line

From Curb Cock to Tap on Main

Checked by Engr. Dept. MAY 4 1951

INDEXED

No. Fittings

Curb Cock

Elbow

St. Elbow

Bushing

Reducer

Pipe

Lead Comp.

Nipples

Union

Plug

Tee

Stop

Box

Lid

Valves

Job No.

P. No.

CORNELL STREET

40'

30'

15'

2" C.I.

POQUITO

STREET

18' 3/4" Cop

45'

H39 1/2

TAX

C-6323

45'

90'

SEE TAP C-8692

9

8

7



## Rhoades, Wendy

**From:** Word, Daniel  
**Sent:** Thursday, August 11, 2016 9:37 AM  
**To:** Rhoades, Wendy  
**Subject:** RE: Building permit help - 1139 1/2 Poquito St

For a permit that age, I don't know how meaningful the C-1000 designation is- it could be intentional, it could be a migration issue. It does seem like from the history you show that there are two duplexes on the site for a total of 4 units.

**From:** Rhoades, Wendy  
**Sent:** Tuesday, August 09, 2016 3:48 PM  
**To:** Word, Daniel  
**Subject:** Building permit help - 1139 1/2 Poquito St

Daniel,

I'm doing some zoning-related research on 1139 Poquito Street (Lot 9) and am interested to find out if the "Conditions" section below specifically A&A-1 and 2 Gas indicates if this is a duplex with 2 gas meters. Likewise for the second BP also on Lot 9, which shows B&B-1 2 Gas. Also, do you know if the subtype C-1000 Commercial Remodel indicates there are more than 2 units on the overall site? Thank you, Wendy

Can.	Yr.	Sequence	Sec.	Rev.	Type	Status
19	92	004886	00	00	BP Building Permit	Final

Property							Indicators
House	Prefix	Street	Type	Direction	Unit Type	Unit	
1139		POQUITO	STREET				Violations
City		Postal Code	Roll	Property Row ID			Properties
AUSTIN		78702	0206100240	606,044			Parent
Location Chernoskys #6 Part Outlot 62 Div B Block: Lot: 9 Chernoskys #6 Part Outlot 62 Div B 9						Folder Unit	Child
							Due \$0

In Date	Oct 9, 1992	Issue/Approval	Oct 9, 1992	Expires	Aug 2, 1993
Reference File #	9212298	By	PIER_ADP	Final Date	Aug 2, 1993
Sub	C-1000 Commercial Remodel		Work	Remodel	
Name	1139 Poquito Street	A7A00000	Priority		
Description	Repair Porches & Steps And Stoops To Duplex				
Conditions	Code La.J.Gallagher Verify C.O.Since 1976 <sup>add</sup> Dormnt Per C Meuth 11/28/94 Snl On A&A1 2 Gas				
Group	Permits	Parent ID		Row ID	609

Coov	Create Child	Revise	Issue/Approve	Print	Re-Default	Email	GIS	Summary	Process Activity
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Can.	Yr.	Sequence	Sec.	Rev.	Type	Status	
Number	19	92	004887	00	00	BP Building Permit	Final

Property							Indicators
House	Prefix	Street	Type	Direction	Unit Type	Unit	
Address	1139		POQUITO	STREET			
	City	Postal Code	Roll	Property Row ID			
	AUSTIN	78702	0206100240	606,044			
Location	Chernoskys #6 Outlot 62 Div B Block: Lot 9 Chernoskys #6 Outlot 62 Div B					Folder Unit	
	9						

In Date	Oct 9, 1992	Issue/Approval	Oct 9, 1992	Expires	Aug 2, 1993
Reference File #	9212299	By	PIER_ADP	Final Date	Aug 2, 1993
Sub	C-1000 Commercial Remodel	Work	Remodel		
Name	1139 Poquito Street	A?B00000	Priority		
Description	Repair Porches & Steps & Stoops To Duplex				
Conditions	Code La.J.Gallagher Verify C.O.Since 1976 <sup>state</sup> Sni Oh B&B1 2 Gas				
Group	Permits	Parent ID		Row ID	6094

## Travis CAD

Property Search Results &gt; 195011 POQUITO REX LLC for Year 2017

Tax Year: 2017

## Property

## Account

Property ID: 195011 Legal Description: LOT 9 OLT 62 DIV B CHERNOSKY NO 6  
 Geographic ID: 0206100241 Zoning: MF4  
 Type: Real Agent Code:  
 Property Use Code:  
 Property Use Description:

## Location

Address: 1139 1/2 POQUITO ST Mapsco: 585V  
 TX 78702  
 Neighborhood: E0035 Map ID: 020211  
 Neighborhood CD: E0035

## Owner

Name: POQUITO REX LLC Owner ID: 1687881  
 Mailing Address: 8401 B RESEARCH BLVD % Ownership: 100.000000000000%  
 AUSTIN, TX 78758-8307

Exemptions:

## Values

(+) Improvement Homesite Value: + \$0  
 (+) Improvement Non-Homesite Value: + \$120,320  
 (+) Land Homesite Value: + \$0  
 (+) Land Non-Homesite Value: + \$180,000 Ag / Timber Use Value  
 (+) Agricultural Market Valuation: + \$0 \$0  
 (+) Timber Market Valuation: + \$0 \$0  
 -----  
 (=) Market Value: = \$300,320  
 (-) Ag or Timber Use Value Reduction: - \$0  
 -----  
 (=) Appraised Value: = \$300,320  
 (-) HS Cap: - \$0  
 -----  
 (=) Assessed Value: = \$300,320

## Taxing Jurisdiction

Owner: POQUITO REX LLC  
 % Ownership: 100.000000000000%  
 Total Value: \$300,320

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
01	AUSTIN ISD	1.192000	\$300,320	\$300,320	\$3,579.81
02	CITY OF AUSTIN	0.441800	\$300,320	\$300,320	\$1,326.82
03	TRAVIS COUNTY	0.383800	\$300,320	\$300,320	\$1,152.63
0A	TRAVIS CENTRAL APP DIST	0.000000	\$300,320	\$300,320	\$0.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.110541	\$300,320	\$300,320	\$331.97
68	AUSTIN COMM COLL DIST	0.102000	\$300,320	\$300,320	\$306.33
HPR1	HOMESTEAD PRESERVATION REINVESTMENT ZONE 1	0.000000	\$300,320	\$300,320	\$0.00
Total Tax Rate:		2.230141			

Taxes w/Current Exemptions:	\$6,697.56
Taxes w/o Exemptions:	\$6,697.56

## Improvement / Building

Improvement #1: 2 FAM DWELLING State Code: B2 Living Area: 806.0 sqft Value: \$60,160

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
1ST	1st Floor	WW - 3-		1950	806.0
011	PORCH OPEN 1ST F	* - 3-		1950	15.0
011	PORCH OPEN 1ST F	* - 3-		1950	15.0
251	BATHROOM	* - *		1950	2.0

Improvement #2: 2 FAM DWELLING State Code: B2 Living Area: 806.0 sqft Value: \$60,160

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
1ST	1st Floor	WW - 3-		1950	806.0
011	PORCH OPEN 1ST F	* - 3-		1950	15.0
011	PORCH OPEN 1ST F	* - 3-		1950	15.0
251	BATHROOM	* - *		1950	2.0

## Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	0.1782	7762.95	45.00	172.51	\$180,000	\$0

## Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2017	\$120,320	\$180,000	0	300,320	\$0	\$300,320
2016	\$120,320	\$180,000	0	300,320	\$0	\$300,320
2015	\$105,445	\$150,000	0	255,445	\$0	\$255,445
2014	\$36,202	\$150,000	0	186,202	\$0	\$186,202
2013	\$41,690	\$106,250	0	147,940	\$0	\$147,940
2012	\$46,073	\$85,000	0	131,073	\$0	\$131,073

## Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	6/6/2016	CD	CORRECTION DEED	BOWERS REX & PAUL BARNES	POQUITO REX LLC			2016095139
2	6/6/2016	WD	WARRANTY DEED	BOWERS REX & PAUL BARNES	POQUITO REX LLC			2016089266
3	3/30/2016	SW	SPECIAL WARRANTY DEED	BTW EASTSIDE PROPERTIES LLC	BOWERS REX & PAUL BARNES			2016047285

Questions Please Call (512) 834-9317

# Central East

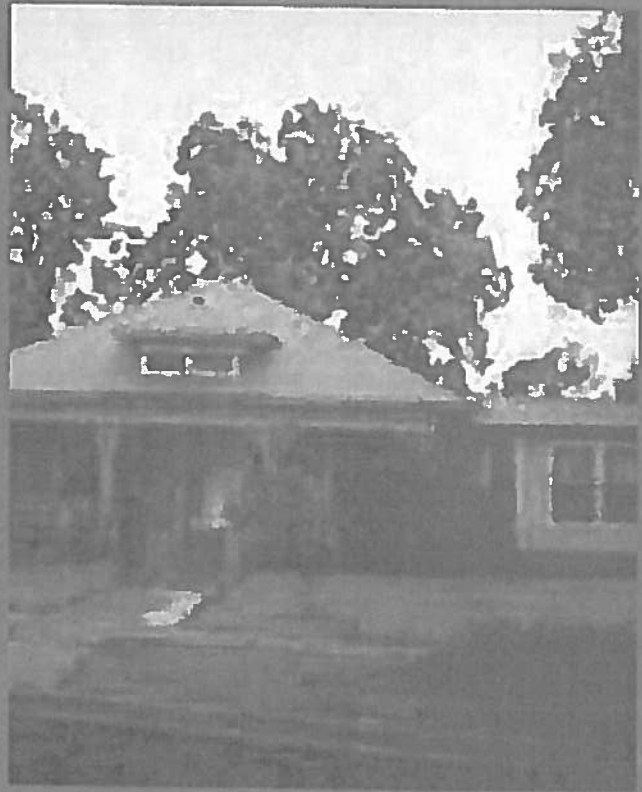
## Neighborhood Plan

**PLAN ADOPTED:** December 13, 2001

This Neighborhood Plan has been amended by City Council. These amendments may include text changes or Future Land Use Map (FLUM) changes. Please refer to the Ordinance Chart on the planning area webpage for more information on amendments. Planning and Development Review staff updates the Ordinance Chart on a regular basis; however, newly adopted amendments may not be reflected on the chart.

### STATION AREA PLAN OR MASTER PLAN

This Neighborhood Plan has been modified with the adoption of the Plaza Saltillo TOD Station Area Plan. This plan should be referenced for properties that are designated as a *Specific Regulating District* on the Future Land Use Map. For zoning, site development and design regulations, refer to the Regulating Plan. These plans can be found at: <http://austintexas.gov/page/austins-tod-process>.

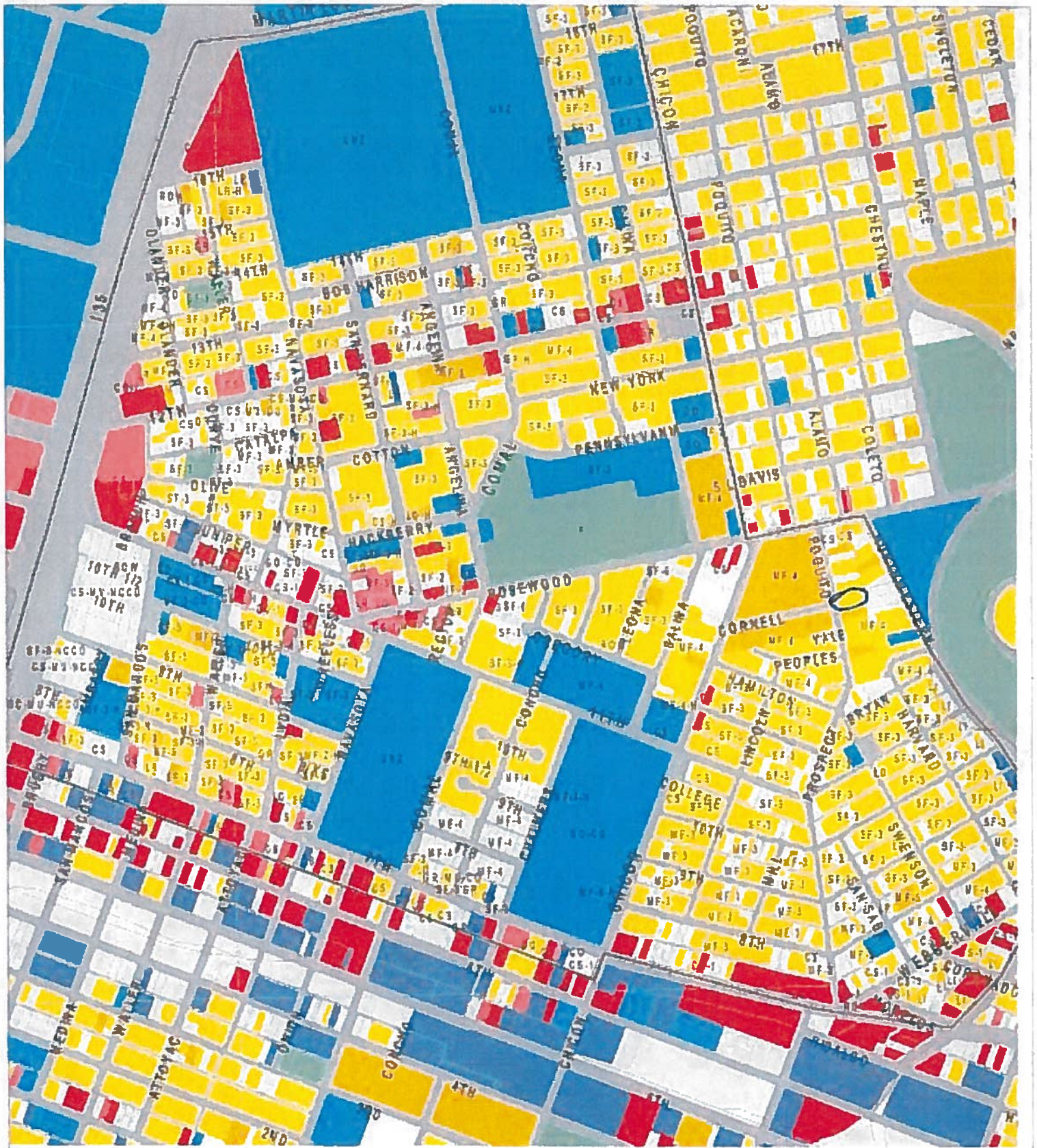


## **Top Ten Neighborhood Planning Priorities**

Although the neighborhood would like to see all parts of the plan implemented, certain issues are considered to be of critical and immediate importance. The Central East Austin Neighborhood Planning Team (NPT), assisted by community input from surveys and meetings, identified the issues of highest priority to the neighborhood. The following elements of the plan are Top Ten Neighborhood Priorities:

1. Add a conditional overlay (CO) to the specific commercial areas identified that would make conditional or prohibit certain uses that are less neighborhood friendly and contrary to creating pedestrian friendly corridors.
2. Facilitate better pedestrian connections across IH-35 in the interim while long-range IH-35 expansion plans are being developed.
- ✓ 3. Pursue zoning rollbacks to single-family for properties in the Blackshear/Prospect Hill area that are currently zoned multi-family, commercial, or industrial but used as single-family or are vacant lots to preserve existing housing and encourage infill.
4. Work with Huston-Tillotson to explore options for beautifying the retaining wall along 7<sup>th</sup> Street by planting ivy or a draping plant or having a community mural project.
5. Request that a historic survey be completed for identified areas.
6. Recommend that eligible historic districts identified in the "Historic Resources Survey of East Austin" report be established as local historic districts per the City's proposed local districts ordinance.
7. Implement zoning changes to portions of 7<sup>th</sup> Street and Webberville Road to address the over supply of intensive CS-1 and LI zoning.
8. Plant more trees in Lott and Kealing Parks.
9. Provide additional street and alley lighting in the Blackshear/Prospect Hill area for identified locations.
10. Consider a tree-planting program as part of making 7<sup>th</sup> Street a more pleasant gateway.





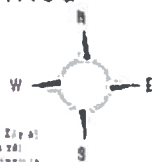
## Central East Austin Neighborhood Planning Area Existing Land Use with Zoning Overlay

\*Note: Land Use updates January 2001.



Neighborhood Planning  
& Zoning Department  
9/18/2001

This map has been prepared by the City of Austin and is not intended to be used for any other purpose. It is intended to be used for informational purposes only. The City of Austin does not warrant the accuracy or completeness of the information shown on this map. The City of Austin is not responsible for any errors or omissions on this map.



Existing Land Use  
Large Lot Single-family  
Single-family  
Mobile Homes  
Multi-family  
Commercial  
Office  
Industry  
Mining  
Civic

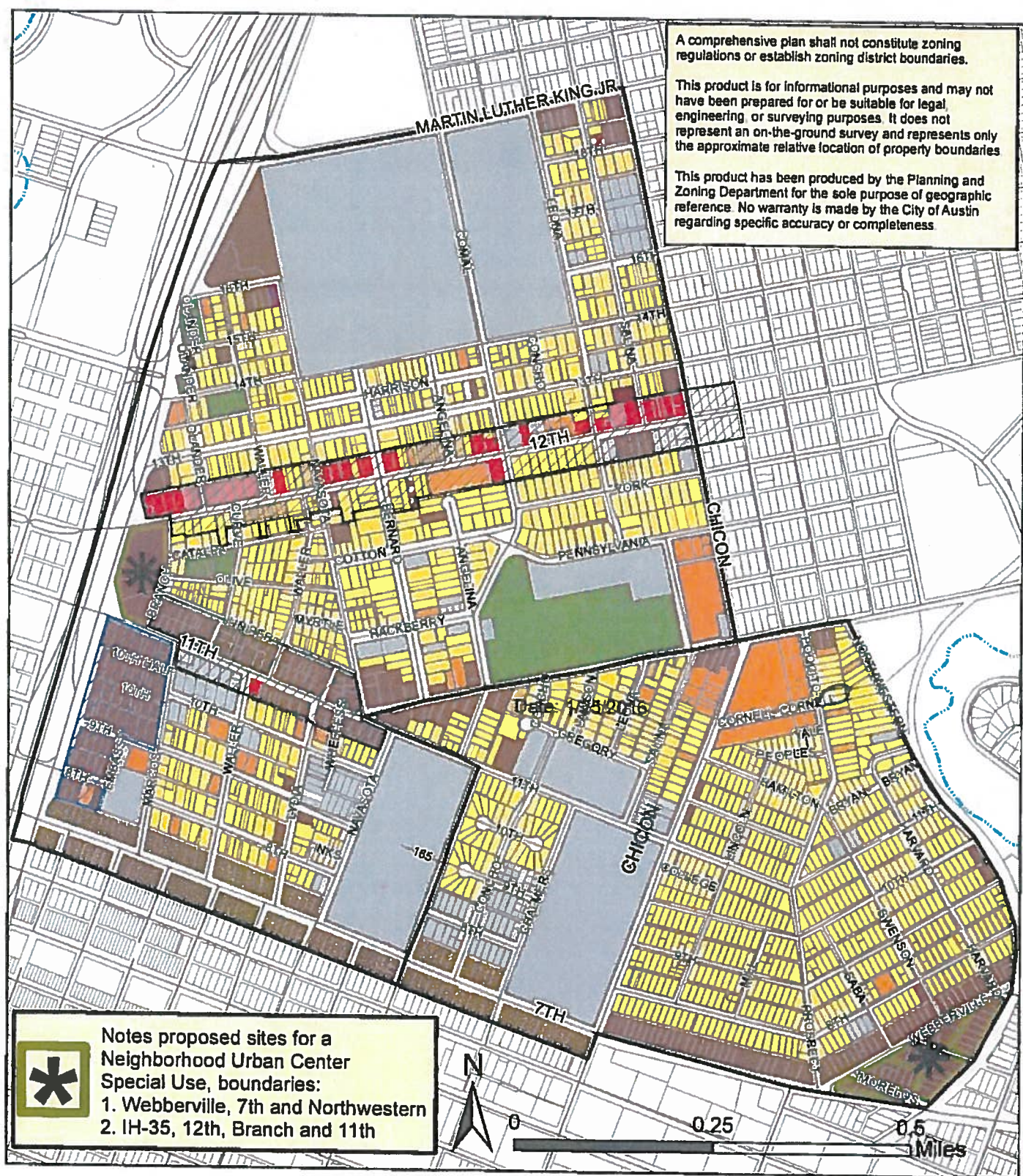
Open Space  
Transportation  
Utilities  
Undeveloped  
Water  
Unknown  
CEA Boundary  
Zoning  
Railroads  
Flood Plain




A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.


















 Notes proposed sites for a Neighborhood Urban Center Special Use, boundaries:

1. Webberville, 7th and Northwestern
2. IH-35, 12th, Branch and 11th



**Central East Austin Neighborhood Planning Area**  
**Future Land Use Map**  
 Updated Date: Monday, January 25, 2016  
 Planning and Zoning Department

-  Neighborhood Planning Area
-  Bennett Tract & 11th Street NCCD
-  Austin Revitalization Authority 11th & 12th Street Corridors

-  Single-Family
-  Higher-Density Single-Family
-  Multifamily
-  Commercial
-  Neighborhood Mixed Use
-  Mixed Use
-  Office
-  Mixed Use/Office
-  Industry
-  Civic
-  Recreation & Open Space
-  Specific Regulating District



**ORDINANCE NO. 011213-42**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 618.9 ACRES OF LAND GENERALLY KNOWN AS THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN AREA ("CEA") AND TO CHANGE THE BASE ZONING DISTRICTS ON 134 TRACTS OF LAND IN THE CEA.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 134 tracts of land within the property described in Files C14-01-0148, as follows:

Approximately 618.9 acres of land in the City of Austin, more particularly described and identified in the attached Exhibit "A", (the "Property"), save and except the properties known as 2314 East 7<sup>th</sup> Street and 811 East 13<sup>th</sup> Street,

generally known as the Central East Austin Neighborhood Plan (NP) combining district, locally known as the property bounded by Martin Luther King Boulevard on the north, Chicon Street and Northwestern Street on the East, IH-35 on the west and 7<sup>th</sup> Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibits "B-1 and B-2".

**PART 2.** The base zoning districts for the 134 tracts of land are changed from family residence (SF-3) district, family residence-historic (SF-3-H) combining district, multifamily residence medium density (MF-3) district, multifamily residence moderate-high density (MF-4) district, neighborhood commercial (LR) district, neighborhood commercial-historic (LR-H) combining district, community commercial (GR) district, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district, limited office (LO) district, limited office-historic (LO-H) combining district, general office (GO) district, general office-historic-conditional overlay (GO-H-CO) combining district, general commercial services (CS) district, commercial-liquor sales (CS-1) district, commercial-liquor sales-conditional overlay (CS-1-CO) combining district, limited industrial services (LI) district, and public (P) district to family residence neighborhood plan (SF-3-NP) combining district, family residence-historic-neighborhood plan (SF-3-H-NP) combining district, multifamily residence low density neighborhood plan (MF-2-NP) combining district, multifamily residence moderate high density neighborhood plan (MF-4-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP)

TRACT	ADDRESS	FROM	TO
34	1308 7 ST E	CS	CS-CO-MU-NP
35	705 LYDIA ST	LO	SF-3-NP
36	1602 7 ST E	LO	LO-MU-NP
37	1610 & 1604 7 ST E; 1606 7 ST E 1/2	GR-CO-MU	GR-CO-MU-NP
38	1616 7 ST E; 1615 8 ST E	GR	GR-CO-MU-NP
39	1620 7 ST E	CS	CS-CO-MU-NP
40	813 7 ST E	CS	CS-CO-MU-NP
41	901, 903, 905, 911, 913, 917 & 915 7 ST E	CS	CS-CO-MU-NP
42	1007, 1003 & 1021 7 ST E	CS	CS-CO-MU-NP
43	1121 7 ST E	CS	CS-CO-MU-NP
44	1201, 1203, 1205 & 1209 7 ST E	CS	CS-CO-MU-NP
45	1301, 1303, 1305, 1307, 1309 & 1311 7 ST E; 610 NAVASOTA ST	CS	CS-CO-MU-NP
46	1401 & 1403 7 ST E	CS	CS-CO-MU-NP
47	1405 7 ST E	CS-1	CS-1-CO-MU-NP
48	1407 & 1409 7 ST E	CS	CS-CO-MU-NP
49	1411 7 ST E	CS-1	CS-1-CO-MU-NP
50	1503 7 ST E	CS	CS-CO-MU-NP
51	1505 7 ST E	CS-1	CS-1-CO-MU-NP
52	1507 & 1509 7 ST E; 612, 610 & 608 COMAL ST	CS	CS-CO-MU-NP
53	1601 7 ST E	CS	CS-CO-MU-NP
54	1605 7 ST E	LO	LO-MU-NP
55	1607 7 ST E	CS	CS-CO-MU-NP
56	1611 7 ST E	CS	CS-CO-MU-NP
57a	1613 7 ST E	CS	CS-CO-MU-NP
57b	1615 & 1617 7 ST E	GR	CS-CO-MU-NP
58	1619 & 1623 7 ST E	GO	GO-MU-NP
59	1707, 1709, 1711, 1713, 1715 & 1701 7 ST E	GO	GO-MU-NP
60	1805 & 1807 7 ST E	CS-1-CO	CS-1-CO-MU-NP
60	0 7 ST E, Lot 31-32, & E 43ft of Lot 30, Olt 6, Div A, Morse & Smith	CS-1	CS-1-CO-MU-NP
61	1605, 1607 & 1609 8 ST E; 710 CONCHO ST; 1601 & 1603 8 ST E	MF-4	GO-CO-NP
62	1615, 1617, 1623, 1625, 1619, 1621 8 ST E	MF-4	GO-CO-NP
63	1610, 1608, 1606, 1604 & 1602 8 ST E; 803 COMAL ST	MF-4	GO-CO-NP
64	804 CHALMERS AV; 1624, 1622, 1620, 1618, 1616 & 1614 8 ST E	MF-4	GO-CO-NP
65	1615, 1617, 1619, 1621 & 9 ST E; 810, 808 & 806 CHALMERS AV	MF-4	GO-CO-NP
66	904 & 902 CHALMERS AV; 1628, 1626, 1624, 1622, 1616 9 ST E; 903 & 905 CONCHO ST	MF-4	GO-CO-NP
67	1800 11 ST E	CS, MF-4	CS-CO-MU-NP, MF-4-NP
68	1100 CHICON ST	CS	CS-CO-MU-NP
69	0 CHICON ST, 130X90ft & 75X25ft & 36X22ft, Olt 61, Div B	CS	MF-4-NP
69	1145 SALINA ST	CS, MF-4	MF-4-NP
70	1801, 1805, 1809, 1813 & 1819 ROSEWOOD AV; 1148 CHICON ST	CS	CS-CO-MU-NP
70	0 CHICON, 23X38ft, Olt 61, Div B	CS	CS-CO-MU-NP
71	2101 ROSEWOOD AV	CS	CS-CO-MU-NP
72	2103 ROSEWOOD AV	CS	CS-CO-MU-NP
73	1148, 1146 & 1146 1/2, 1144 & 1142 NORTHWESTERN AV	MF-4	SF-3-NP
74	1139 & 1139 1/2, 1141 & 1141 1/2, 1143, 1145 & 1145 1/2 POQUITO ST	MF-4	SF-3-NP
75	1138, 1134, 1136, 1132, 1130, 1128 & 1128 1/2, 1120, 1118 & 1116 NORTHWESTERN AV	MF-4	SF-3-NP

21. The following uses are conditional uses on Tract 96:

Communication service facilities  
Kennels  
Limited warehousing and distribution

Building maintenance services  
Construction sales and services

**PART 10.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

**PART 11.** The use and site development regulations applicable to the East 11<sup>th</sup> Street neighborhood conservation (NCCD) combining district supercede this ordinance to the extent of conflict.

**PART 12.** The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

**PART 13.** This ordinance takes effect on December 24, 2001.

**PASSED AND APPROVED**

December 13, 2001

§  
§  
§

Gustavo L. Garcia

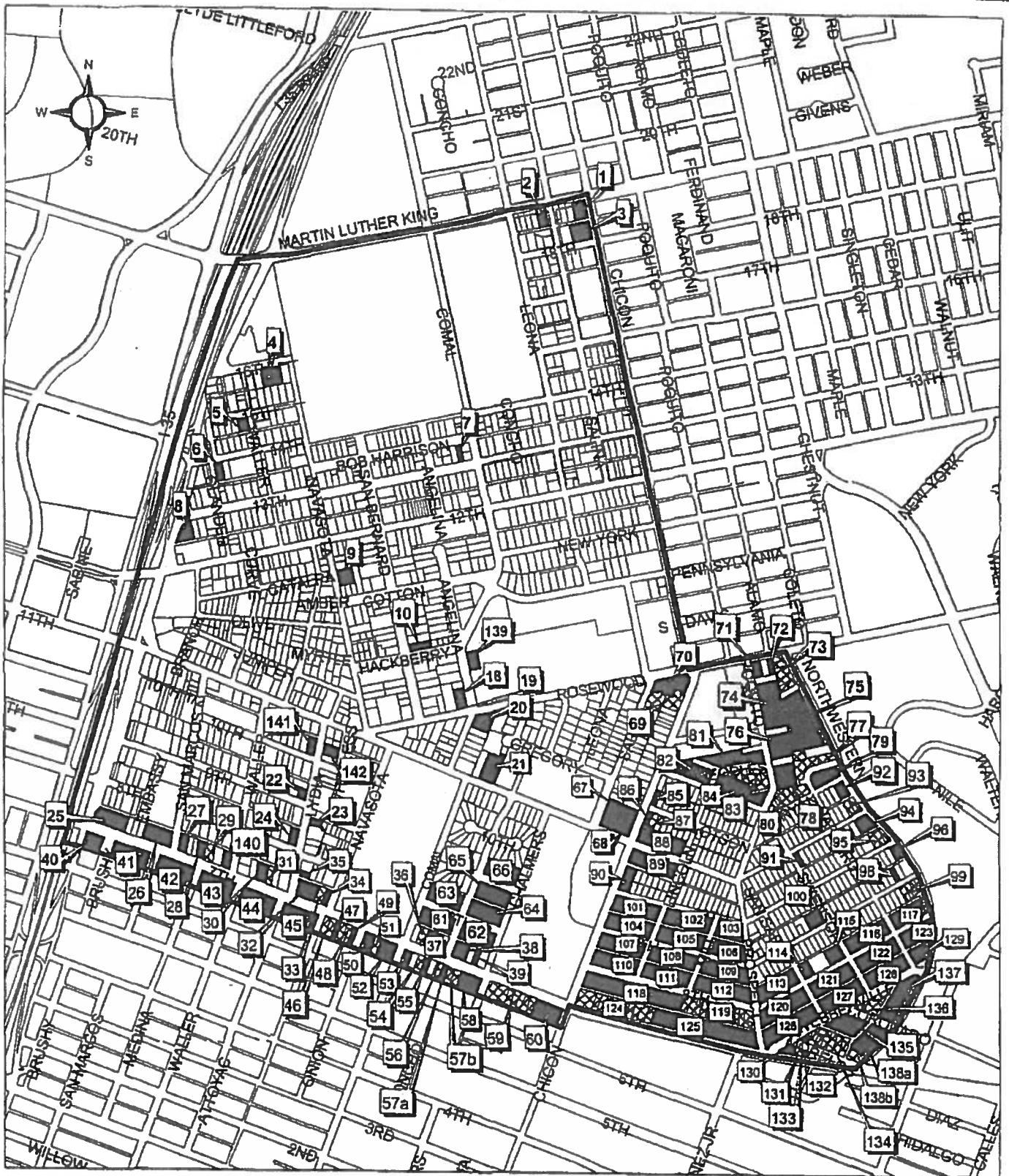
Gustavo L. Garcia  
Mayor

APPROVED:

Sedora Jefferson  
Sedora Jefferson  
City Attorney

ATTEST:

Shirley A. Brown  
Shirley A. Brown  
City Clerk






# CENTRAL EAST AUSTIN NEIGHBORHOOD PLANNING AREA ZONING CHANGES - EXHIBIT A



City of Austin  
Neighborhood Planning &  
Zoning Department  
December 18, 2001

Case # C14-01-0148

-  Parcels with Recommended Zoning Changes
-  CEA Boundary
-  Other parcels - on some residential lots Smart Growth Infill Special Uses for secondary apartments, urban home, and small lot amnesty would be allowed; and the Neighborhood Mixed Use Building and Urban Center Special Uses on some commercial lots

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-01-0148 (Central East Austin Neighborhood Plan)

**P.C. DATE:** November 14, 2001

**AREA:** Approximately 618.9 acres

**ADDRESS OF PROPOSED ZONING CHANGE:** The boundaries of Central East Austin Neighborhood Plan area are (see attached list for individual tract information):

North – Martin Luther King (MLK) Boulevard  
East – Chicon and Northwestern  
South – 7<sup>th</sup> Street  
West – Interstate Highway 35

**APPLICANT:** City of Austin

**AGENT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD)  
(Sue K. Hounsel and Sherri Gager)

**PROPERTY OWNERS:** See Attached List (Attachment A)

**ZONING:** See Attached Chart (Attachment A)

### SUMMARY STAFF RECOMMENDATION:

Staff recommends that a Neighborhood Plan Combining District (NP) be created covering the entire plan area to allow the following SMART Growth Infill Special Uses: Secondary Apartment, Urban Home, and Small Lot Amnesty (Attachment C & D). In addition, staff proposes the Neighborhood Mixed Use Building Special Use for Tracts 1-5, 7-11, 12a-e, 13-16, 17a-c, 18-34, 36-56, 57a-b, 58-60, 67, 68, 70-72, 85, 86, 96, 97, and 124-138. Staff also recommends the Neighborhood Urban Center Special Use for Tracts 11 and 130-138 (Attachment C & D).

Staff recommends base district zoning changes for the 142 tracts as described on the attached zoning map (Attachment B).

### Specific base district recommendations include:

Zoning From:	To:
CS	CS-CO-MU-NP
CS	MF-4-NP
CS, MF-4	CS-CO-MU-NP, MF-4-NP
CS, MF-4	MF-4-NP
CS-1	CS-1-CO-MU-NP
CS-1	CS-CO-MU-NP
CS-1, LI	CS-CO-MU-NP
CS-1-CO	CS-1-CO-MU-NP
GO	GO-MU-NP
GO-CO-H	GO-CO-MU-H-NP
GR	LO-MU-NP
LI	CS-CO-MU-NP
LI	LI-CO-NP



LO	LO-MU-NP
LO	SF-3-NP
LO-H	LO-MU-H-NP
LR	LR-MU-NP
GR	GO-CO-MU-NP
GR-CO-MU	GR-CO-MU-NP
SF-3, CS	SF-3-NP, CS-CO-MU-NP
CS	SF-3-NP
MF-3	SF-3-NP
LI	SF-3-NP
LR	SF-3-NP
LR-H	LR-H-MU-NP
MF-4	SF-3-NP
SF-3-NCCD, LO-NCCD	SF-3-NCCD-NP, LO-NCCD-NP
SF-3, SF-3-H	GR-CO-MU-NP, GR-CO-MU-H-NP
SF-3	MF-2-NP
SF-3	SF-3-H-NP
MF-4	GO-CO-NP
P	P-H-NP
LO-NCCD	LO-NCCD-NP
LR-NCCD	LR-NCCD-NP
GR-NCCD	GR-NCCD-NP
GR-CO-MU-NCCD	GR-CO-MU-NCCD-NP
CS-NCCD	CS-NCCD-NP
CS-CO-NCCD	CS-CO-NCCD-NP
CS-MU-NCCD	CS-MU-NCCD-NP
CS-1-NCCD	CS-1-NCCD-NP
CS-1-H-NCCD	CS-1-H-NCCD-NP

Conditional overlay is proposed for Tracts 1, 3, 7, 8, 11, 18-21, 24-27, 29-34, 37-53, 55, 56, 57a, 57b, 60-68, 70-72, 85, 86, 96, 97, and 124-138 that would prohibit or make conditional certain uses (Attachment E). Some properties have existing conditional overlays that are recommended to remain and are reflected in Attachment E. In general the Central East Austin Neighborhood Plan proposes making conditional or prohibiting certain uses that are less neighborhood friendly and contrary to creating pedestrian friendly corridors. Some of these uses are restricted in the current East Austin Overlay (EAO). Once neighborhood plans are adopted and specific land use/zoning recommendations are implemented, for the planning areas covered by the current East Austin Overlay those areas will be removed from that overlay. The conditional overlays proposed in the plan would affect GR or more intensively zoned properties in the following areas:

*For Seventh Street (north and south) between IH-35 and Prospect; and Webberville "triangle" (south side of Webberville) at 7<sup>th</sup> and Northwestern. And other IH-35 frontage properties outside of the Bennett Tract and ARA Corridors:*

#### Conditional

Auto Sales  
Auto Rental  
Commercial Off-street Parking  
Communication Service Facilities  
Building Maintenance Services  
Convenience Storage  
Kennels  
Construction Sales  
Limited Warehousing and Distribution

#### Prohibited

Drop-off recycling  
Scrap & Salvage  
Equipment sales  
Equipment repair  
Campground  
Vehicle storage  
Laundry services (other than personal services)

## STAFF RECOMMENDATION

See Zoning Review Sheet

## BACKGROUND

The Central East Austin Neighborhood Planning Area is bordered by Interstate-35 to the west, Martin Luther King Boulevard (MLK) to the north, Chicon Street and Northwestern Avenue to the east, and East 7<sup>th</sup> Street to the south. In February 2000, City staff held a "kick-off" meeting to introduce the neighborhood planning process to residents, business owners, and property owners. Beginning in March 2000, a Neighborhood Planning Team (NPT) composed of these stakeholders began meeting with City staff to develop the Central East Austin Neighborhood Plan. Since then the NPT has held regular meetings twice a month that were open to the entire neighborhood.

Other community outreach efforts included two neighborhood surveys, one at the beginning and one at the end of the planning process. Additional targeted mailings were sent to neighborhood associations, churches, businesses, and property owners to encourage participation and to seek input. A Community Workshop or "Open House" was held on March 17, 2001 to present a draft plan to the community at large. To date, at least 140 individuals have participated in this process by either attending a planning team meeting or the workshop. A list of Neighborhood Planning Team meetings is included as Attachment I.

Members of the NPT have also met with representatives of the Austin Revitalization Authority (ARA) and presented to the full ARA Board to encourage coordination between the neighborhood plan efforts and the ARA Master Plan and the East 11<sup>th</sup> and 12<sup>th</sup> Streets Urban Renewal Plan (URP). The Central East Austin Neighborhood Plan is considered an extension but not a replacement for the ARA Master Plan or the URP. The CEA Neighborhood Plan incorporates by reference the current and previous planning efforts of the ARA, the City and other institutions including:

- The ARA Central East Austin Master Plan and East 11<sup>th</sup> and 12<sup>th</sup> Streets Urban Renewal Plan (URP). Implementation of the URP is underway and this plan will not impact the ARA scope of work.
- The 11<sup>th</sup> Street Neighborhood Conservation Combining District (NCCD).
- Anderson Hill Redevelopment (former SCIF II Project).
- Carver Library and Museum Expansion Project.
- The Huston-Tillotson College Master Plan.

The CEA Neighborhood Plan was passed on first reading by the City Council on October 4, 2001. The goal of the Neighborhood Plan is to guide future development, preserve historic resources, protect existing residential areas, and provide opportunities to improve the quality of life for everyone in the neighborhood. Primary goals related to land use include historic preservation, housing, and encouraging commercial and mixed-use development on major corridors. The proposed zoning changes are consistent with these goals.

The City's Smart Growth Initiative includes an option for neighborhoods to add a Neighborhood Plan Combining District (NP) to the entire planning area. Generally, the purpose of the NP is to allow infill and mixed-use development by implementing a neighborhood plan that has been adopted by Council as an amendment to the City's Comprehensive Plan. Within the NP combining district are special uses that can be applied to a specific property or to the entire plan area. These options were adopted in April 2000 by City Council. The following are Special Uses allowed under a NP that can be applied to an entire planning area: Cottage Lot, Urban Home, Secondary Apartment, Small Lot Amnesty, and Corner Store. The following are special uses allowed only on specific sites: Neighborhood Urban Center, Neighborhood Mixed Use Building, and Residential Infill.

The Central East Austin NPT is interested in applying five of the Smart Growth Special Uses to the Central East Austin Neighborhood, consistent with the plan. The proposed zoning change creates a NP covering the entire area. Three of the options would apply neighborhood wide: Secondary Apartment, Urban Home, and Small Lot Amnesty. The fourth option, Neighborhood Mixed Use Building Special Use would apply to Tracts 1-5, 7-11, 12a-e, 13-16, 17a-c, 18-34, 36-56, 57a-b, 58-60, 67, 68, 70-72, 85, 86, 96, 97, and 124-138. Staff also recommends the Neighborhood Urban Center Special Use for Tracts 11 and 130-138.

### **BASIS FOR RECOMMENDATION**

The staff's basis for recommendation is derived from the goals and objectives for land use as described in the Central East Austin Neighborhood Plan:

1. Preserve, restore, and recognize historic resources and other unique neighborhood features.  
Objective: Maintain and preserve the integrity of current residential districts.  
Objective: Identify and explore the creation of local, state, or federal historic districts or landmarks.
2. Create housing that is affordable, accessible, and attractive to a diverse range of people.  
Objective: Increase opportunities for home ownership.  
Objective: Increase the amount of housing units available.  
Objective: Maintain and create affordable, safe, well-managed rental housing.  
Objective: Preserve the existing housing stock.  
Objective: Make it possible for existing residents (both homeowners and renters) to stay.
3. Promote new development for a mix of uses that respects and enhances the residential neighborhoods of Central East Austin.  
Objective: Recognize that this is an urban area and identify areas for increased residential density.  
Objective: Provide incentives for creating and maintaining neighborhood serving businesses.  
Objective: Increase mixed-use opportunities where appropriate on commercial corridors.  
Objective: Where appropriate, address mis-matches between desired land use and zoning.

### **EXISTING CONDITIONS**

#### **Zoning and Land Use**

##### **Existing Land Use:**

Single-Family	30%
Multifamily	2%
Office	1%
Commercial	3%
Mixed Use	0%
Industrial	1%
Civic/Open Space	24%
Transportation/ROW	29%
Vacant	10%



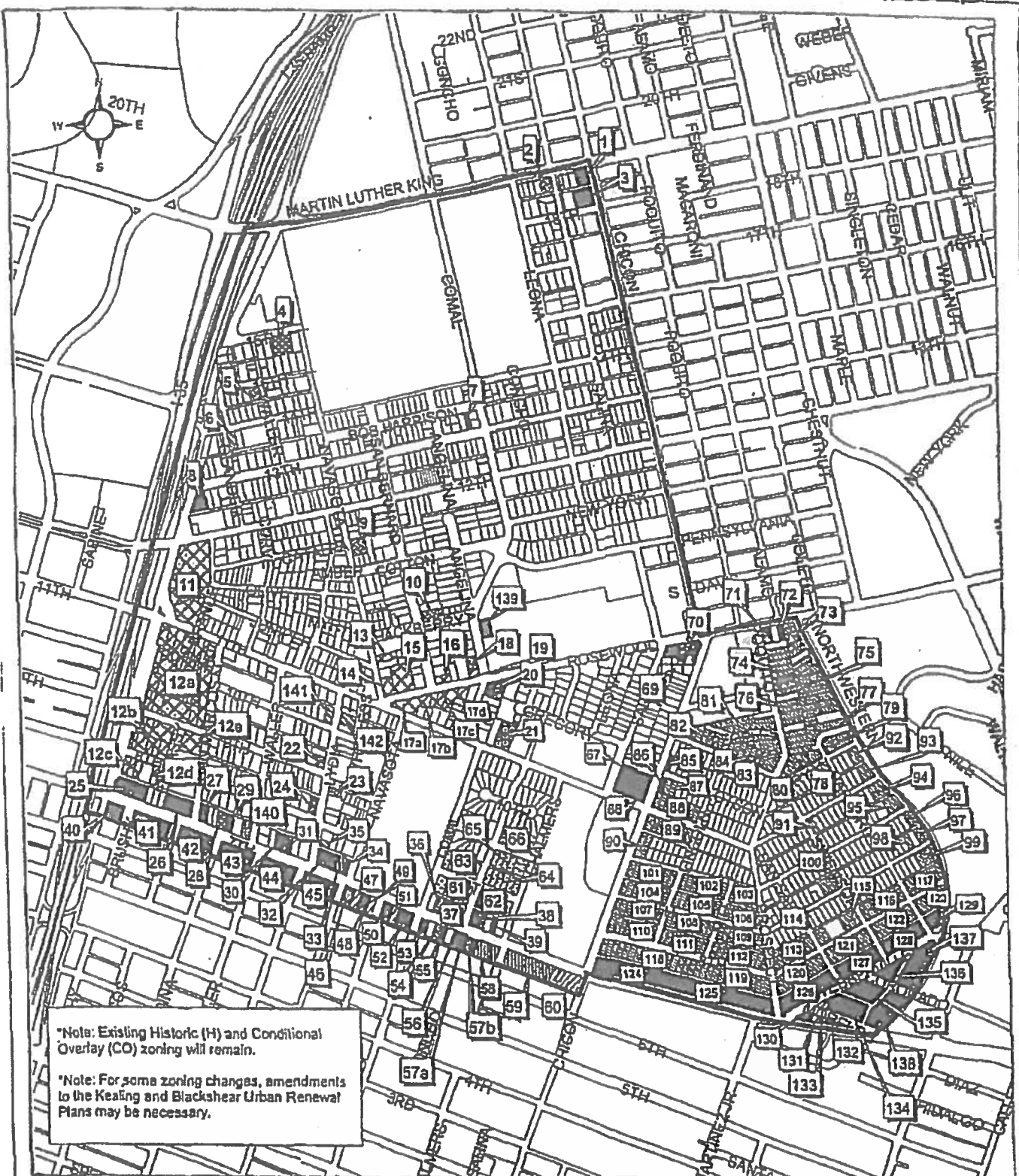
**CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN  
PROPOSED BASE DISTRICT ZONING CHANGES**

Neighborhood Plan Combining District (NP)  
Conditional Overlay (CO)  
\*Neighborhood Mixed Use Bldg. Special Use  
\*Neighborhood Urban Center Special Use

The following table lists the properties with proposed base district zoning changes  
[for example: LI (Limited Industrial) to CS (Commercial Services)]. Tract numbers refer to the enclosed map

TRACT	ADDRESS	OWNER	TAX ID	FROM	TO: staff recom.
1	1809 M L KING JR BV E	TARBOX VENTURES INC	0209090205	CS	CS-CO-MU-NP*
1	1810 CHICON ST	TARBOX VENTURES INC	0209090208	CS	CS-CO-MU-NP*
2	1709 M L KING JR BV E	TAYLOR BOBBY RAY	0209090104	LO	LO-MU-NP*
3	1804 CHICON ST	TARBOX VENTURES INC	0209090207	CS	CS-CO-MU-NP*
3	1808 18 ST E	TARBOX VENTURES INC	0209090210	SF-3, CS	SF-3, CS-CO-MU-NP*
4	1007 18 ST E	TOLLESON R MICHAEL	0209061003	LR-H	LR-H-MU-NP*
4	1007 18 ST E 1/2	TOLLESON R MICHAEL	0209061004	LR	LR-MU-NP*
4	1009 16 ST E	STERZING PHIL TRUSTEE	0209061005	LR	LR-MU-NP*
5	1408 WALLER ST	KUMAR-SALDANA SAVITRI	0209060505	GR	LO-MU-NP*
6	901 14 ST E	TEXAS OPTOMETRIC	0209060401	LO	SF-3-NP
7	1408 13 ST E	OWENS MURRAY M	0209070608	CS	CS-CO-MU-NP*
8	809 13 ST E	DRYDEN S H DR	0208060119	CS-1,LR	CS-CO-MU-NP*
9	1191 NAVASOTA ST	PEASE ELLA	0207080301	LO	LO-MU-NP*
10	1171 SAN BERNARD ST	ZETA PHI BETA SORORITY	0207080601	LO-H	LO-H-MU-NP*
11	1190 BRANCH ST	TEXAS GENERAL	0208060404	CS-NCCD	CS-NCCD-NP**
11	0 INTERSTATE HY 35 N, 84% Int Ln .448 acr, Oil 55, Div B	WARD LIQUOR STORE	0208060408	CS-NCCD	CS-NCCD-NP**
11	0 INTERSTATE HY 35 N, 84% Int Ln .448 acr, Oil 55, Div B	WARD LIQUOR STORE	0208060405	CS-NCCD	CS-NCCD-NP**
11	0 BRANCH ST, .252 Acr of Oil 55, Div B	TALASEK R D	0208060407	CS-CO-NCCD	CS-CO-NCCD-NP**
11	0 BRANCH ST, .049 Acr of Oil 55, Div B	WARD LIQUOR STORE	0208060408	CS-1-NCCD	CS-1-NCCD-NP**
11	0 & 1101 INTERSTATE HY 35 N, .689 Acr of Oil 55, Div B	TRAVIS COUNTY EMPLOYEES	0208060409	CS-NCCD	CS-NCCD-NP**
12a	809 10 ST E	ROCCA GREGORY J &	0206050409	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	813 10 ST E	ROCCA GREGORY J &	0206050410	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	817 10 ST E	ROCCA GREGORY J &	0206050411	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	801 10 ST E	ROCCA GREGORY J &	0206050412	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	905 10 ST E	ROCCA GREGORY J &	0206050413	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	907 10 ST E	ROCCA GREGORY J &	0206050414	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	909 10 ST E	ROCCA GREGORY J &	0206050415	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	915 10 ST E	ROCCA GREGORY J &	0206050416	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	912 9 ST E	ROCCA GREGORY J &	0206050417	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	810 9 ST E	ROCCA GREGORY J &	0206050418	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	816 9 ST E	ROCCA GREGORY J &	0206050419	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	812 9 ST E	ROCCA GREGORY J &	0206050420	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	810 9 ST E	ROCCA GREGORY J &	0206050421	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	808 9 ST E	ROCCA GREGORY J &	0206050422	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	0 9 ST E, W 12th of Lot 7, Oil 1, Div B, Burchard	STATE OF TEXAS	0206050423	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	809 10 1/2 ST E	ROCCA GREGORY J &	0206050506	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	818 10 ST E	ROCCA GREGORY J &	0206050509	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	900 10 ST E	ROCCA GREGORY J &	0206050510	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	909 10 ST E A	ROCCA GREGORY J &	0206050511	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	908 10 ST E	ROCCA GREGORY J &	0206050512	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	908 10 ST E	ROCCA GREGORY J &	0206050513	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	1004 SAN MARCOS ST	ROCCA GREGORY J &	0206050515	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	814 10 1/2 ST E	ROCCA GREGORY J &	0206050518	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	807 11 ST E	WOOTEN ANNE GREENWOOD	0206050604	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	809 11 ST E	ROCCA GREGORY J &	0206050605	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	811 11 ST E	ROCCA GREGORY J &	0206050606	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	813 11 ST E	ROCCA GREGORY J &	0206050607	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	815 11 ST E	ROCCA GREGORY J &	0206050608	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	817 11 ST E	ROCCA GREGORY J &	0206050609	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	807 11 ST E	ROCCA GREGORY J &	0206050610	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	911 11 ST E	ROCCA GREGORY J &	0206050611	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	1016 SAN MARCOS ST	ROCCA GREGORY J &	0206050612	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	1014 SAN MARCOS ST	ROCCA GREGORY J &	0206050613	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	1012 SAN MARCOS ST	ROCCA GREGORY J &	0206050614	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	808 10 1/2 ST E	ROCCA GREGORY J &	0206050615	CS-MU-NCCD	CS-MU-NCCD-NP*
12b	811 9 ST E	ROCCA GREGORY J &	0206050309	CS-MU-NCCD	CS-MU-NCCD-NP*
12b	817 9 ST E	ROCCA GREGORY J &	0206050310	CS-MU-NCCD	CS-MU-NCCD-NP*
12b	818 8 ST E	ROCCA GREGORY J &	0206050311	CS-MU-NCCD	CS-MU-NCCD-NP*
12b	816 8 ST E	ROCCA GREGORY J &	0206050312	CS-MU-NCCD	CS-MU-NCCD-NP*

TRACT	ADDRESS	OWNER	TAX ID	FROM	TO: staff recom.
66	904 CHALMERS AV	HUSTON-TILLOTSON COLLEGE	0205080235	MF-4	GO-CO-NP
66	902 CHALMERS AV	HUSTON-TILLOTSON COLLEGE	0205080236	MF-4	GO-CO-NP
68	1528 9 ST E	HUSTON-TILLOTSON COLLEGE	0205080237	MF-4	GO-CO-NP
68	1525 9 ST E	HUSTON-TILLOTSON COLLEGE	0205080238	MF-4	GO-CO-NP
66	1524 9 ST E	HUSTON-TILLOTSON COLLEGE	0205080239	MF-4	GO-CO-NP
66	1522 9 ST E	HUSTON-TILLOTSON COLLEGE	0205080240	MF-4	GO-CO-NP
68	1518 9 ST E	HUSTON-TILLOTSON COLLEGE	0205080241	MF-4	GO-CO-NP
66	903 CONCHO ST	HUSTON-TILLOTSON COLLEGE	0205080242	MF-4	GO-CO-NP
66	905 CONCHO ST	HUSTON-TILLOTSON COLLEGE	0205080243	MF-4	GO-CO-NP
67	1800 11 ST E	MT OLIVE BAPTIST CHURCH	0205090830	CS, MF-4	CS-CO-MU-NP*, MF-4
68	1103 CHICON ST	MOUNT OLIVE BAPTIST	0206090852	CS	CS-CO-MU-NP*
	0 CHICON ST, 130X90ft & 75X25ft & 38X22ft, Olt 61, Div B				
69	1145 SALINA ST	HOUSING AUTHORITY OF	0206090808	CS	MF-4-NP
69	1801 ROSEWOOD AV	HOUSING AUTHORITY OF	0206090851	CS, MF-4	MF-4-NP
70	1805 ROSEWOOD AV	ROSEWOOD MISSIONARY	0206090801	CS	CS-CO-MU-NP*
70	1809 ROSEWOOD AV	ROSEWOOD MISSIONARY	0206090802	CS	CS-CO-MU-NP*
70	1813 ROSEWOOD AV	ROSEWOOD MISSIONARY	0206090803	CS	CS-CO-MU-NP*
70	1819 ROSEWOOD AV	POTTS DORIS ATTAL ET AL	0206090804	CS	CS-CO-MU-NP*
70	1148 CHICON ST	AINSWORTH FORREST	0206090805	CS	CS-CO-MU-NP*
		ROSEWOOD MISSIONARY	0206090806	CS	CS-CO-MU-NP*
70	0 CHICON, 23X38ft, Olt 61, Div B	POTTS DORIS ATTAL ET AL	0206090807	CS	CS-CO-MU-NP*
71	2101 ROSEWOOD AV	SHACKLES C J	0206100249	CS	CS-CO-MU-NP*
72	2103 ROSEWOOD AV	MAYS GENE A	0208100251	CS	CS-CO-MU-NP*
73	1148 NORTHWESTERN AV	SNEED OLA LEE MRS	0206100201	MF-4	SF-3-NP
73	1148 NORTHWESTERN AV 1/2	DAVIDSON JOHN EDDIE & ORTENCIO	0206100202	MF-4	SF-3-NP
73	1148 NORTHWESTERN AV	MARTINEZ GILBERT M	0206100203	MF-4	SF-3-NP
73	1144 NORTHWESTERN AV	GARCIA FELIPE & MARIA	0206100204	MF-4	SF-3-NP
73	1142 NORTHWESTERN AV	WALKER GLADYS	0206100205	MF-4	SF-3-NP
74	1139 POQUITO ST	NORRIS EDGAR W	0206100240	MF-4	SF-3-NP
74	1139 POQUITO ST 1/2	MOSBY JAMES E JR &	0206100241	MF-4	SF-3-NP
74	1141 POQUITO ST	JONES ESTER	0206100242	MF-4	SF-3-NP
74	1141 POQUITO ST 1/2	ALEJO SANTOS	0206100243	MF-4	SF-3-NP
74	1143 POQUITO ST	CITY OF AUSTIN	0206100244	MF-4	SF-3-NP
74	1143 POQUITO ST	MCCULLOUGH OTIS	0206100245	MF-4	SF-3-NP
74	1145 POQUITO ST	HART BERNICE	0206100246	MF-4	SF-3-NP
74	1145 POQUITO ST 1/2	MCMILLAN BILLY R &	0206100247	MF-4	SF-3-NP
75	1138 NORTHWESTERN AV	FIGUEROA JULIAN	0206100207	MF-4	SF-3-NP
75	1134 NORTHWESTERN AV	ESPINOSA REYNALDA	0206100208	MF-4	SF-3-NP
75	1136 NORTHWESTERN AV	CITY OF AUSTIN	0206100209	MF-4	SF-3-NP
75	1132 NORTHWESTERN AV	HARRELL ALLEN L	0206100210	MF-4	SF-3-NP
75	1130 NORTHWESTERN AV	MEDINA REYES	0206100211	MF-4	SF-3-NP
75	1128 NORTHWESTERN AV 1/2	RICHARDSON JAMES M	0206100212	MF-4	SF-3-NP
75	1120 NORTHWESTERN AV	LOPEZ EVA	0206100213	MF-4	SF-3-NP
75	1120 NORTHWESTERN AV	SIMENTAL MADALENO	0206100214	MF-4	SF-3-NP
75	1128 NORTHWESTERN AV	AZAR SAM	0206100215	MF-4	SF-3-NP
75	1118 NORTHWESTERN AV	WILEY THOMAS E JR	0206100216	MF-4	SF-3-NP
75	1118 NORTHWESTERN AV	WILEY THOMAS E JR	0206100217	MF-4	SF-3-NP
76	1133 POQUITO ST 1/2	HOLMES ETHEL NELL	0206100235	MF-4	SF-3-NP
76	1135 POQUITO ST	THOMAS MARY ANN & LEON	0206100236	MF-4	SF-3-NP
76	1135 POQUITO ST 1/2	ANDERSON MIKE	0206100237	MF-4	SF-3-NP
76	1137 POQUITO ST	JONES RUTHIE MAE &	0206100238	MF-4	SF-3-NP
77	1114 NORTHWESTERN AV	DEAN EMMA J &	0206100219	MF-4	SF-3-NP
77	2508 WALTER ST	BRAY REGINALD S	0208100252	MF-4	SF-3-NP
77	2504 WALTER ST	ELLISON SHAWN C	0208100253	MF-4	SF-3-NP
77	2502 WALTER ST	LARA GUSTAVO & ROSANA	0208100254	MF-4	SF-3-NP
77	2500 WALTER ST	TELLO JUANITA ALVAREZ	0208100255	MF-4	SF-3-NP
78	1127 POQUITO ST	PUENTE ARMANDO & MARGARITA	0206100230	MF-4	SF-3-NP
78	1129 POQUITO ST	SEPEDA GLORIA	0206100231	MF-4	SF-3-NP
78	1131 POQUITO ST	BILLINGSLEY JOHNSON	0206100232	MF-4	SF-3-NP
78	1131 POQUITO ST 1/2	ALEXANDER MILTON	0206100233	MF-4	SF-3-NP
79	2507 WALTER ST	SCOTT GWENDOLYN	0206101201	MF-4	SF-3-NP
79	1108 NORTHWESTERN AV	SANTANA PERDO L &	0206101202	MF-4	SF-3-NP
79	2504 BRYAN ST	GARCIA VICTORINA	0208101203	MF-4	SF-3-NP
79	2503 WALTER ST	MIRELES BARBARA PEREZ	0208101204	MF-4	SF-3-NP
80	2412 BRYAN ST	CITY OF AUSTIN	0208100223	MF-4	SF-3-NP
80	2410 BRYAN ST	MCHALE KEVIN	0206100224	MF-4	SF-3-NP
80	2408 BRYAN ST	MCHALE KEVIN	0206100225	MF-4	SF-3-NP
80	2408 BRYAN ST	AVALOS NORMA	0208100226	MF-4	SF-3-NP
80	2404 BRYAN ST	VILLARREAL ELIAS & MARIA M	0208100227	MF-4	SF-3-NP
80	2402 BRYAN ST	PROUTT ELIJAH	0208100228	MF-4	SF-3-NP
80	2400 BRYAN ST	CITY OF AUSTIN	0206100229	MF-4	SF-3-NP



\*Note: Existing Historic (H) and Conditional Overlay (CO) zoning will remain.

\*Note: For some zoning changes, amendments to the Keating and Blackshear Urban Renewal Plans may be necessary.

### Central East Austin Neighborhood Planning Area Proposed Rezoning by Tract



Neighborhood Planning &  
Zoning Department  
created: 10/23/2001  
last modified: 11/6/2001

This map has been prepared by the City of Austin as a planning tool and is not intended for any other use. The accuracy of the map is not guaranteed. The City of Austin is not responsible for any errors or omissions. The map is provided for informational purposes only. The City of Austin is not responsible for any errors or omissions. The map is provided for informational purposes only.

- Proposed Rezoning**
- SF-3-NP
  - SF-3-H-NP
  - MF-2-NP
  - MF-4-NP
  - LO-MU-NP
  - GO-MU-NP
  - GO-CO-NP
  - LR-MU-NP

- GR-CO-MU-NP
- CS-CO-MU-NP
- CS-1-CO-MU-NP
- LI-CO-NP

- P-H-NP
- NCCO properties adding NP uses only
- CEA Boundary

Other parcels - on some residential lots Smart Growth Int'l Special Uses for secondary apartments, urban home, and small lot amnesty would be allowed.

**Rhoades, Wendy**

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**From:** Meredith, Maureen  
**Sent:** Tuesday, October 11, 2016 9:26 AM  
**To:** [REDACTED]; Rex Bowers ([REDACTED]); Paul Barnes  
[REDACTED]  
**Cc:** Rhoades, Wendy; Walters, Mark  
**Subject:** FW: Please postpone or deny Item E-01--Initiation of rezoning, 1139 1/2 Poquito Street  
**Attachments:** btw eastside to bowers and barnes pdf, mosby to btw eastside.pdf

Gayle, Rex, and Paul:  
FYI.  
Maureen

**From:** OCEAN Contact Team  
**Sent:** Tuesday, October 11, 2016 8:24 AM  
**To:** Oliver, Stephen - BC; Kazi, Fayez - BC; White, Trinity - BC; Shieh, James - BC; McGraw, Karen - BC; Zaragoza, Nuria - BC; Seeger, Patricia - BC; Thompson, Jeffrey - BC; Wilson, Michael - BC; Nuckols, Tom - BC; PineyroDeHoyos, Angela - BC; Vela, Jose - BC; Mathias, Jayme - BC; Meredith, Maureen; [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)  
**Cc:** Houston, Ora; [cj.huchins@austintexas.gov](mailto:cj.huchins@austintexas.gov); Nathan Jones; Thomas Van Dyke, Sr.; Tracy Witte; David Thomas; nell.pete; Maegan Ellis  
**Subject:** Please postpone or deny Item E-01--Initiation of rezoning, 1139 1/2 Poquito Street

Dear Chair Oliver, Vice Chair Kazi, Commissioner White and Planning Commission:

The Organization of Central East Austin Neighborhoods (OCEAN), which serves as the neighborhood plan contact team for Central East Austin in District 1, respectfully requests postponement or denial of Item E-01.

Staff represented to us in a meeting last week that they first spoke with one of the new owners (Rex Bowers) and Ms. Gayle Rosenthal (an adjacent property owner and real estate agent) about rezoning 1139 ½ Poquito Street from SF-3 to MF-4 in late 2015, long before Mr. Bowers and his partner Paul Barnes purchased the property and many others in East Austin in March 2016. In all that time, neither the previous owners nor the new owners contacted Blackshear-Prospect Hill Neighborhood Association or OCEAN regarding any proposed change of zoning or redevelopment of the property.

Neither the neighborhood, adjacent neighbors, nor the contact team has had time to meet to publicly discuss the proposed initiation of rezoning, which, when achieved, will enable the Acting Assistant Director, Mr. Jerry Rusthoven, to initiate a neighborhood plan amendment out of cycle to also "correct" the property's FLUM designation. Based on our conversation with Staff last week, OCEAN officers are not convinced that either the zoning or the FLUM designation are in error.

Please allow OCEAN at least one month to gather more facts and collect stakeholder input, and please encourage Mr. Bowers and Mr. Barnes to reach out to OCEAN and Blackshear-Prospect Hill Neighborhood Association, which so far they have not done despite Ms. Meredith's representation to us that she has encouraged them to do so.

Thank you for your thoughtful attention to this case and for your service to Austin.

Sincerely,

Nate Jones

President, Organization of Central East Austin Neighborhoods

**From:** Meredith, Maureen  
**Sent:** Tuesday, October 11, 2016 11:36 AM  
**To:** Walters, Mark; Rhoades, Wendy  
**Subject:** FW: Agenda Item E-01

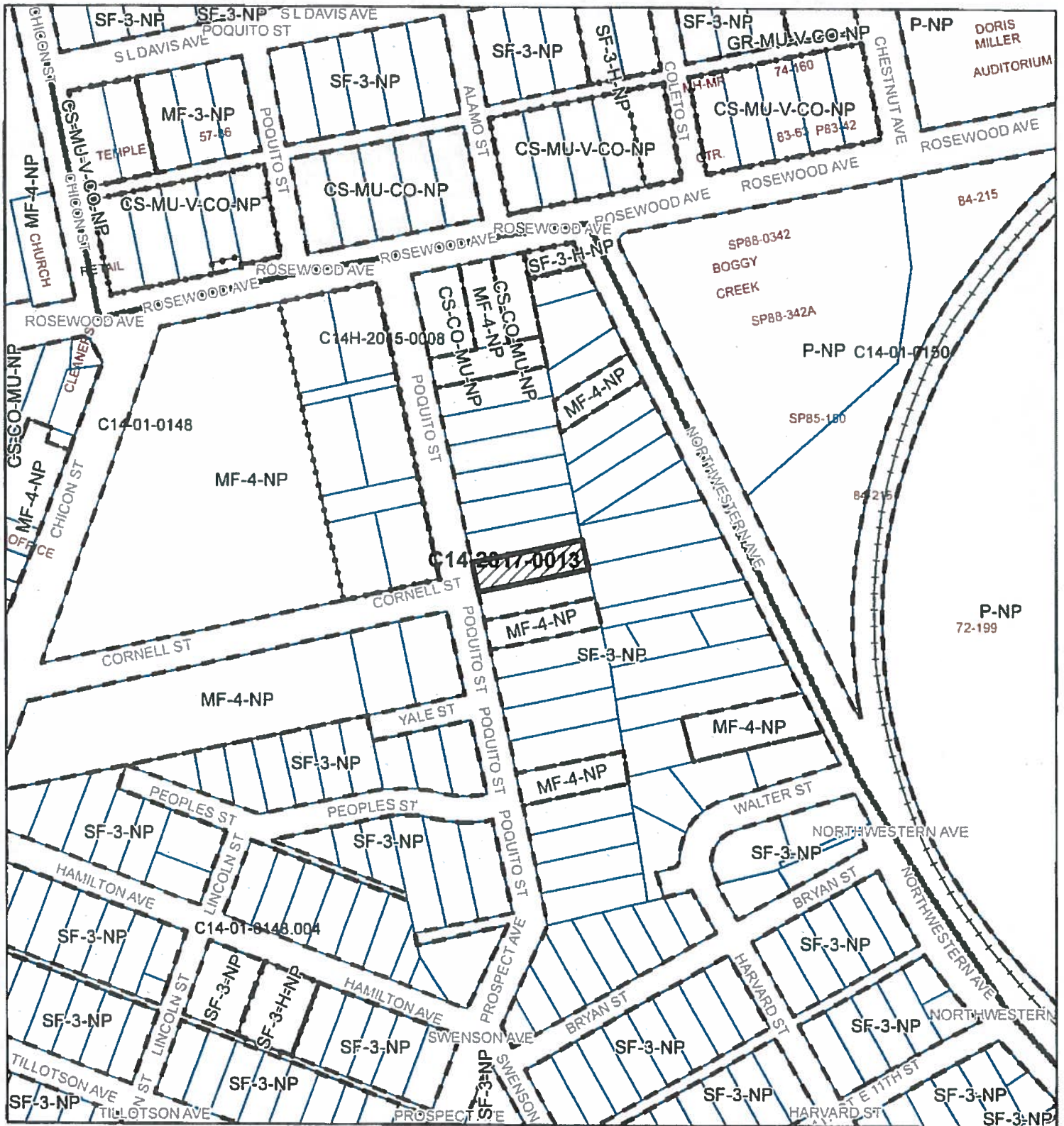
**From:** Gayle Rosenthal [mailto:[gayle.rosenthal@gmail.com](mailto:gayle.rosenthal@gmail.com)]  
**Sent:** Tuesday, October 11, 2016 11:33 AM  
**To:** Meredith, Maureen  
**Cc:** [redacted]; [redacted]; [redacted]; [redacted];  
[redacted]; [redacted]; [redacted]; [redacted] David Thomas; Nell Pete;  
[redacted]  
**Subject:** Agenda Item E-01

I will be at the meeting tonight in case anyone wishes to speak with me about the history of this rezoning error. I did reach out to David Thomas to find out if the NA had heard from you and to be available to answer questions.

I'm not sure how any exchange between the Contact Team and the owners is going to change the facts as they are at this time. Ms. Rhoades' report is pretty clear that the property has always been used as a 4 plex and that down zoning was a mistake. There's a real shortage of rental property on the east side. It's too bad the City isn't contemplating restoration of MF4 zoning on the remaining properties that were down zoned. Multi Family4 zoning across from Rosewood Courts is far more in keeping with the area than SF3, and would be very useful to the community.

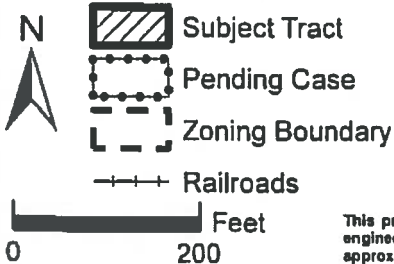
**Gayle Rosenthal**  
**Attorney/Broker**  
**Rosenthal Properties**  
**512-825-9141**





## ZONING

Case#: C14-2017-0013



1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 3/22/2017







## Chaffin, Heather

---

**From:** Chaffin, Heather  
**Sent:** Monday, April 03, 2017 12:13 PM  
**To:**  
**Cc:** Meredith, Maureen; 'Thomas VanDyke'; Eric Standridge  
**Subject:** RE: Request for meeting  
**Attachments:** 1139 and half drainage charge.pdf

Tracy,

Maureen forwarded your request to me. I've attached an exhibit that shows what we have—an estimate of impervious coverage that is used by the City to determine drainage utility fees. As the disclaimer on the attachment states, the information is from 2012, so it may not reflect current conditions. You can see more of the map area (the page format cut it off) at the link at the bottom of the page: <http://www.austintexas.gov/GIS/DrainageCharge>

Please note that impervious coverage is best calculated by a current, as-built survey by a licensed surveyor. To my knowledge, the City does not have such an item.

I tried to reply to all the CC'd people on your mailing list, but I don't have everyone's email address.

Heather Chafifn

---

**From:** Meredith, Maureen  
**Sent:** Monday, April 03, 2017 11:48 AM  
**To:** Chaffin, Heather  
**Subject:** FW: Request for meeting

**From:** Tracy Witte [ma  
**Sent:** Monday, April 03, 2017 10:17 AM  
**To:** Meredith, Maureen  
**Cc:** [redacted]; Nell Peterson; OCEAN Contact Team; Thomas VanDyke, Sr; [redacted]; eric standridge; Robert Kusumoto  
**Subject:** Fwd: Request for meeting

Hi Maureen,

I am forwarding the email that OCEAN received from the current owner of 1139 1/2 Poquito Street stating that the current use and number of units are not changing.

We also asked you what is the current level of impervious cover on the property, including parking areas and drives. We would appreciate any help staff has with that.

Thank you!

Tracy

----- Forwarded message -----

**From:** Rex Bowers <

Date: Thu, Oct 20, 2016 at 8:02 AM

Subject: Re: Request for meeting

To: OCEAN Contact Team <[oceaneastAustin@gmail.com](mailto:oceaneastAustin@gmail.com)>

Cc: Nathan Jones < , "Thomas Van Dyke, Sr." < David Thomas Tracy Witte

Hi Tracy

I will not be back to Austin until late today or tomorrow. We are not trying to change anything we all agree that a mistake was made when the city rezoned the property from mf -4 to sf-3. Since the 1950 s this property has had 4 individual units on it with 4 electric meters, 4 water meters, 4 gas meters and 4 mailboxes. We are not going to change the property from what it has been for 60 years . We agree with the city a mistake was made and the correct zoning of the property is mf-4. The property will remain the 4 units that it has always been. Do not see a reason for a meeting since nothing is changing the property will remain 4 units.

Thanks Rex Bowers

Sent from my iPhone

On Oct 14, 2016, at 12:45 PM, OCEAN Contact Team <[oceaneastAustin@gmail.com](mailto:oceaneastAustin@gmail.com)> wrote:

Dear Mr. Bowers,

I am writing to request that you meet with a few representatives of the Organization of Central East Austin Neighborhoods and Blackshear-Prospect Hill Neighborhood Association to discuss your request to rezone 1139 1/2 Poquito Street from SF-3 to MF-4. Would you have some time next Monday or Tuesday afternoon?

Thank you for considering our request, and we look forward to hearing from you!

Very kind regards,

Tracy Witte

Secretary, Organization of Central East Austin Neighborhoods



## Find My Drainage Charge

Address

1139 1/2 POQUITO ST

### Drainage Charge

Property Size: 7,923 sqft

Impervious Cover: 3,958 sqft

Percentage of Impervious Cover: 49.96%

Adjustment Factor: 0.96

Estimated Monthly Charge: **\$19.07**

Until October 2016, there is a single-family discount for a drainage charge over \$9.80. If this property is single-family residential, the Estimated Monthly Charge is \$14.44

Exempt Status: None

Appraisal District: TCAD

Note: Aerial photography used in this web map is from January 2012. Impervious cover for properties built or modified since then has been estimated and may not display, or may display incorrectly. For an explanation of how the impervious cover was estimated for properties developed since January 2012, visit the FAQs at [www.austintexas.gov/drainagecharge](http://www.austintexas.gov/drainagecharge).

Address

1139 1/2 POQUITO ST

Estimated Drainage Charge

**\$19.07**

Parcel

0206100241



Home



Layers



Address

## Chaffin, Heather

---

**From:** Chaffin, Heather  
**Sent:** Monday, June 26, 2017 5:28 PM  
**To:** Meredith, Maureen; David Thomas; Nell Peterson  
**Subject:** RE: Correction: New PC/CC hrng dates: 1139 1/2 Poquito

City records show 49.96% impervious cover, as calculated for drainage utility charge. This number is subject to change based on any site improvements/modifications. For more information about the drainage utility charge, see <http://www.austintexas.gov/drainagecharge>.

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**From:** Meredith, Maureen  
**Sent:** Monday, June 26, 2017 5:14 PM  
**To:** David Thomas; Nell Peterson  
**Cc:** Chaffin, Heather  
**Subject:** RE: Correction: New PC/CC hrng dates: 1139 1/2 Poquito

Heather:  
Do you happen to know?

Maureen

---

**From:**  
**Sent:** Monday, June 26, 2017 5:08 PM  
**To:** Meredith, Maureen; David Thomas; Nell Peterson  
**Cc:** Chaffin, Heather  
**Subject:** RE: Correction: New PC/CC hrng dates: 1139 1/2 Poquito

Maureen,  
What is the current building coverage and impervious coverage on the lot?  
Thank you,  
Nate

----- Original Message -----

Subject: RE: Correction: New PC/CC hrng dates: 1139 1/2 Poquito  
From: "Meredith, Maureen" <[Maureen.Meredith@austintexas.gov](mailto:Maureen.Meredith@austintexas.gov)>  
Date: Mon, Jun 26, 2017 3:55 pm  
To: "~~Heather Chaffin~~" <~~Heather.Chaffin@austintexas.gov~~>  
"David Thomas" <~~David.Thomas@austintexas.gov~~>, Nell Peterson  
<~~Nell.Peterson@austintexas.gov~~>  
Cc: "Chaffin, Heather" <[Heather.Chaffin@austintexas.gov](mailto:Heather.Chaffin@austintexas.gov)>

#wmQuoteWrapper /\* Font Definitions \*/ @font-face {font-family:Calibri; panose-1:2 15 5 2 2 2 4 3 2 4;} #wmQuoteWrapper @font-face {font-family:Tahoma; panose-1:2 11 6 4 3 5 4 4 2 4;} #wmQuoteWrapper @font-face {font-family:Verdana; panose-1:2 11 6 4 3 5 4 4 2 4;} #wmQuoteWrapper /\* Style Definitions \*/ p.MsoNormal, #wmQuoteWrapper li.MsoNormal, #wmQuoteWrapper div.MsoNormal {margin:0in; margin-bottom:.0001pt; font-size:12.0pt; font-family:"Times New Roman","serif";} #wmQuoteWrapper a:link, #wmQuoteWrapper span.MsoHyperlink {mso-style-priority:99; color:blue; text-decoration:underline;} #wmQuoteWrapper a:visited, #wmQuoteWrapper span.MsoHyperlinkFollowed {mso-style-priority:99; color:purple; text-decoration:underline;} #wmQuoteWrapper p.MsoAcetate, #wmQuoteWrapper li.MsoAcetate, #wmQuoteWrapper div.MsoAcetate {mso-style-priority:99;



# Find My Drainage Charge

Address

This map has been recently updated to show impervious cover and drainage charge values that will begin with July 2017 bills. June 2017 and earlier billing values are no longer visible on this map.

1139 1/2 POQUITO ST

## Drainage Charge

Property Size: 7,923 sqft

Impervious Cover: 4,047 sqft

Percentage of Impervious Cover:

51.08%

Adjustment Factor: 0.98

Estimated Monthly Charge: **\$19.78**

This estimate does not include any discounts or rebates that may be applied to this charge.

Exempt Status: None

Appraisal District: TCAD

Note: Aerial photography used in this web map is from January 2015. Impervious cover for properties built or modified since then has been estimated based on building permit data and may not display, or may display incorrectly. For more information, visit



Home



Layers



Address

